



Unified Government of Wyandotte County and Kansas City, Kansas

**Administration & Human Services
Standing Committee**

Standing Committee Room, 5th Floor
701 N. 7th Street Trafficway, Kansas City, KS 66101

Chairman Melissa Bynum

*Commissioner Mike Kane, Commissioner Christian Ramirez,
Commissioner Andrew Davis, Commissioner Evelyn Hill*

AGENDA

Monday, July 28, 2025

5:00 PM

- 1. Call to Order/Roll Call**
- 2. Revisions to July 28, 2025 Agenda**
- 3. Approval of standing committee minutes from April 22, 2024 and May 20, 2024.**
- 4. Committee Agenda**
 - 4.1 APPROVAL: TRANSIT DRUG AND ALCOHOL POLICY CHANGES**

Synopsis: Approval of revisions to Human Resources Guide 7.,4A-DOT Federal Transit Authority Policy.
Tracking #: 21741
 - 4.2 RESOLUTION: GRANTS POLICY THRESHOLD AND ACCEPTANCE OF GRANTS**

Synopsis: A resolution to revise the grant application and acceptance policy.
Tracking #: 21278
 - 4.3 RESOLUTION: ESTABLISHING AN ANNUAL LOCAL PRIORITIES LEGISLATIVE PLAN**

Synopsis: A resolution establishing an annual local legislative priorities plan that assists in the identification and elimination of inefficient, confusing, costly, or unnecessary processes, steps, or requirements within departmental operations that can enhance the delivery of services to the community.
Tracking #: 21629
 - 4.4 PRESENTATION: ELECTION ACTIVITIES UPDATE**

Synopsis: Presentation by the Wyandotte County Election Office over general election operations, updates and new initiatives, and historical budget.
Tracking #: 21403

4.5 **PRESENTATION: HUMAN SERVICES/CDDO**

Synopsis: Presentation providing information and updates related to the department.

Tracking #: 21298

4.6 **PRESENTATION: UG CLERK'S OFFICE OVERVIEW**

Synopsis: Presentation from the UG Clerk's Office providing an update of the utility/sales rebate programs and other roles and responsibilities of the Clerk's Office. Customer Service and Efficiency Initiatives will also be presented.

Tracking #: 21506

5. **Public Agenda**

6. **Adjourn**

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Persons may address the Commission during the time set aside for Public Comment on each item scheduled or at any time by suspension of the rules. All persons must address the commission and state their name and address for the record. Comments shall be limited to three (3) minutes for each participant. Disruptive comments and behavior are not permitted and may result in removal from the meeting.

Some commissioners, staff, and the public may attend remotely via Zoom or by phone. All participants joining by phone should mute their phones when not speaking to avoid background noise. During the meeting, all speakers are asked to please announce yourself by name and title every time you speak so the public that is observing knows who is speaking. This is critical given the number of remote participants and is current guidance from the Kansas Attorney General.

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View the meeting live on our website at: [UGTV Live Stream](#) or via [YouTube](#).

**ADMINISTRATION AND HUMAN SERVICES
STANDING COMMITTEE MINUTES
Monday, April 22, 2024**

The meeting of the Administration and Human Services Standing Committee was held on Monday, April 22, 2024, at 5:30 p.m. The following members were present: Commissioner Bynum, Chairman; Commissioners Kane, Ramirez, Davis, Hill. The following officials were also in attendance: Wendy Green, Deputy Chief Counsel; Michael Abbott, Election Commissioner; Michael Keith Rankin, Legal Counsel; Monica L. Sparks, Deputy UG Clerk and Brittnie MacDonald, UG Clerk.

Chairman Bynum said before I call this meeting to order, I want to announce that some committee members, staff, and public are attending remotely via Zoom as well as on site. All participants joining by phone should mute their phones when not speaking to avoid background noise. During the meeting, please make sure you announce yourself by name and title every time you speak so the public that is observing knows who is speaking. When speaking, be sure and speak directly into your microphone, so all comments are heard, and the record of the meeting is accurate. This is critical given the number of remote participants and is current guidance from the Kansas Attorney General.

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Chairman Bynum called the meeting to order. Roll call was taken, and all members were present as shown above.

Chairman Bynum said, Clerk, do we have any revisions for our meeting tonight? **Monica L. Sparks, Deputy UG Clerk**, said there are no revisions.

April 22, 2024

Approval of standing committee minutes from January 23, 2023, and February 13, 2023. On motion of Commissioner Ramirez, seconded by Commissioner Davis, the minutes were approved. Roll call was taken and there were five “Ayes,” Hill, Davis, Ramirez, Kane, Bynum.

COMMITTEE AGENDA

Item No. 1 – 2139...RESOLUTION: AUTHORIZING TRANSFER OF TITLE OF REAL ESTATE TO KANSAS CITY HOUSING AUTHORITY

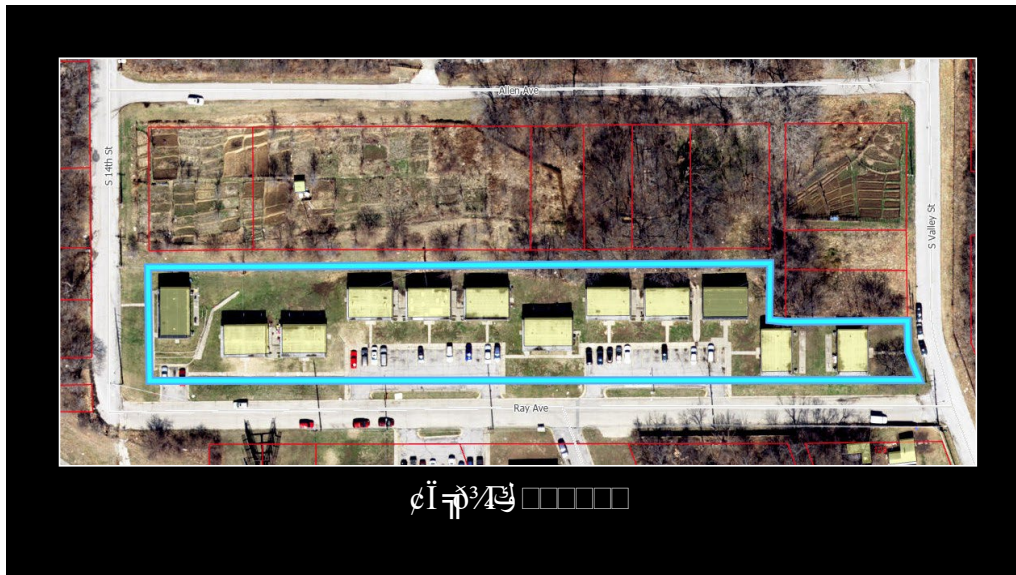
Synopsis: A resolution authorizing the transfer to Kansas City Housing Authority the legal title of multiple properties they have been operating and managing for many years, submitted by Wendy Green, Assistant Counsel, Legal.

Wendy Green, Deputy Chief Counsel, said this all began when we first discovered, and I don't know if it was when we first discovered, but when we realized we needed to do something about the fact that Juniper Gardens was still in the name of the Unified Government and technically it was in the name of the city of Kansas City, Kansas. That got the ball rolling for us to realize that there were lots of properties that were in the name of either the city of Kansas City, Kansas or the Unified Government that were really the Kansas City Kansas Housing Authority properties and they didn't need to be in our name anymore. And quite frankly these aren't assets of the Unified Government. They shouldn't belong in the name of the Unified Government and the right thing to do would be to transfer them into the name of the Kansas City Kansas Housing Authority. That's what the resolution is in front of you. It would be to give authority to David Johnston, our County Administrator, to sign the deed that would transfer all of these properties over to the Kansas City Kansas Housing Authority. When we were in agenda review, we did have Commissioner Bynum ask if she could see a map for some of these properties because a lot of these properties are multi-family properties. There's no way if you wanted me to put addresses with them this would be a lot longer of a paper presentation because there's multiple units in some of these. So, I did parcel numbers on a lot of them and some of them where I did addresses, but the best thing to do would be to go through a PowerPoint presentation that I have made where I've given you maps to see where these properties are located. Most of them are in the northeast. There is one in Turner but most of them are in the north.

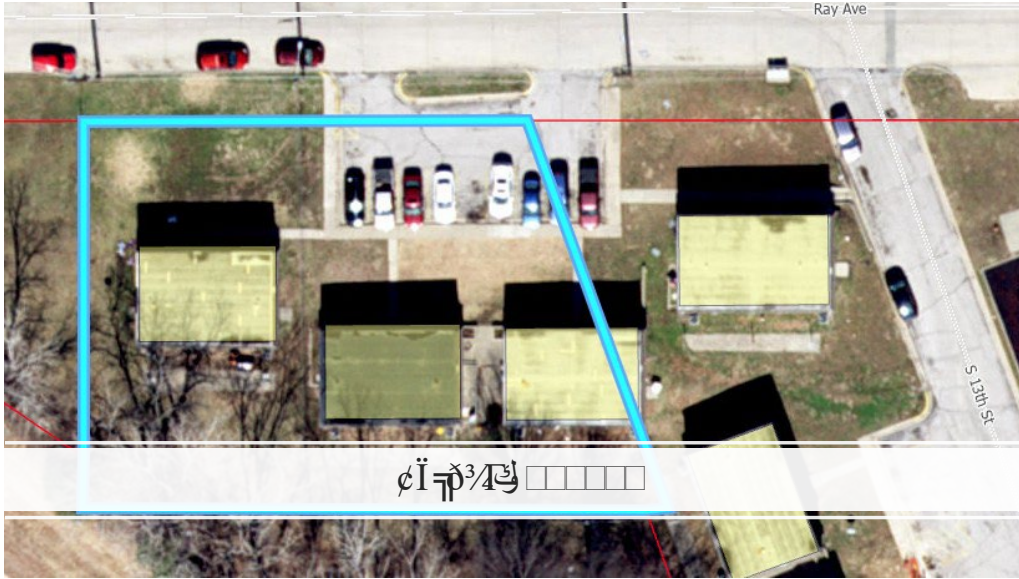
Chairman Bynum said I would appreciate that. Did I see a hand go up at the end of the room?

Commissioner Ramirez said just clarification, these are properties that already the Housing Authority operates and takes care of, but the only thing is they're under our name, the UG's name.

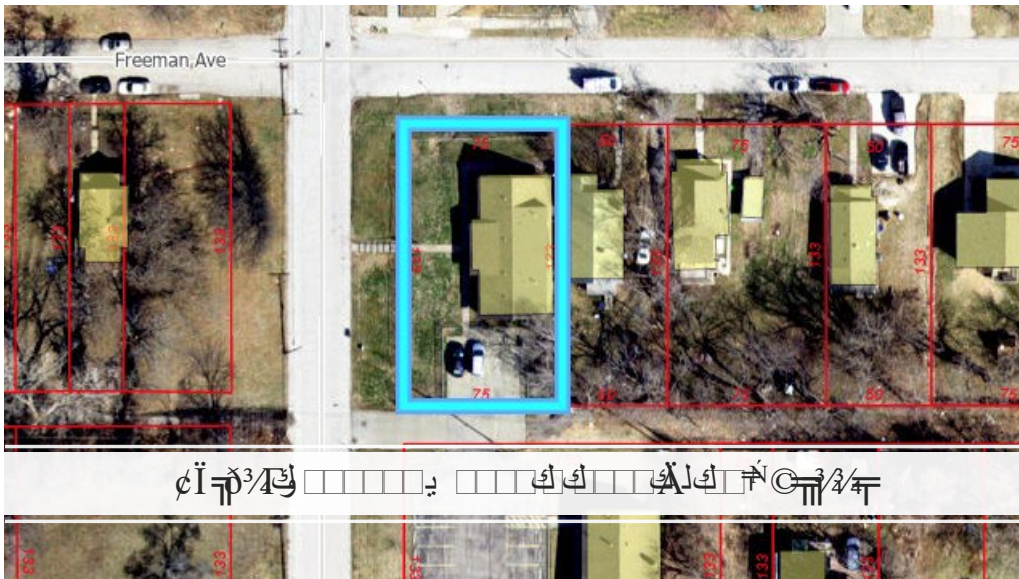
Ms. Green said exactly. **Commissioner Ramirez** said we're just transferring that. **Ms. Green** said that is correct. Some of these properties I would say probably they all started it out to be obtained through condemnation. A lot of them we were able to negotiate, and the owners just deed them over to us or the land in essence. Then we had agreements with the Housing Authority to build a lot of them and Ms. Tapia may be able to elaborate on a lot of that. The Unified Government or the city of Kansas City would acquire them under different kinds of authorities and acts to establish a Housing Authority, but after that was done everything else was done by the Housing Authority. The Housing Authority funds them, runs them, staffs everything that needs to be staffed to take care of them. We do absolutely nothing for these properties.



This first set of properties is located at 14th & Ray. It is just northeast of I-70. That gives you an idea of where those are. It's multifamily housing here.



This is not very far from there. It's just at 13th & Ray. Again, just northeast of I-70.



These parcels are at Oakland to the south and it's just due north of Big 11 Lake to give you an idea of where those are.



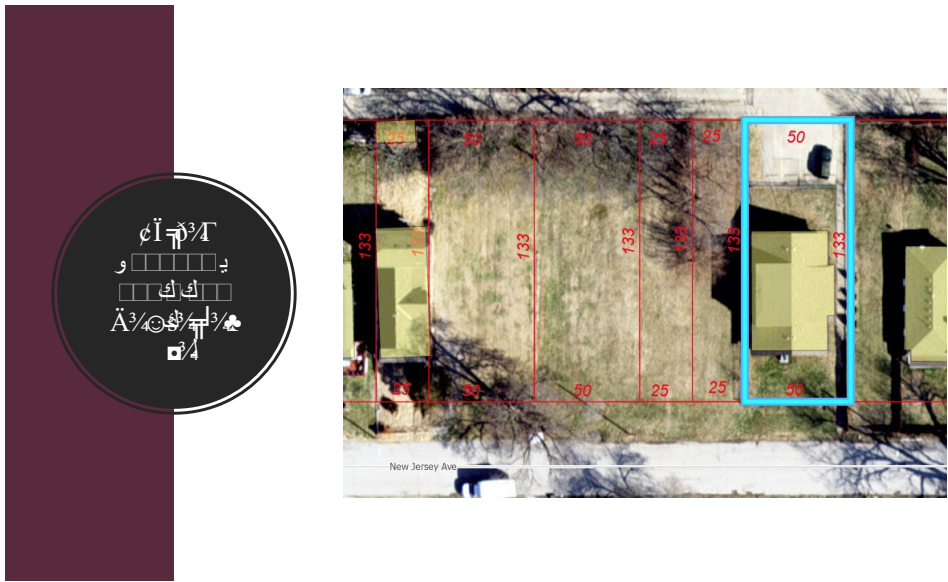
This is to the west. That street is 10th Street and then you also have Boeke & Ray, Gilmore Avenue and I-670 is just directly to the south of that.



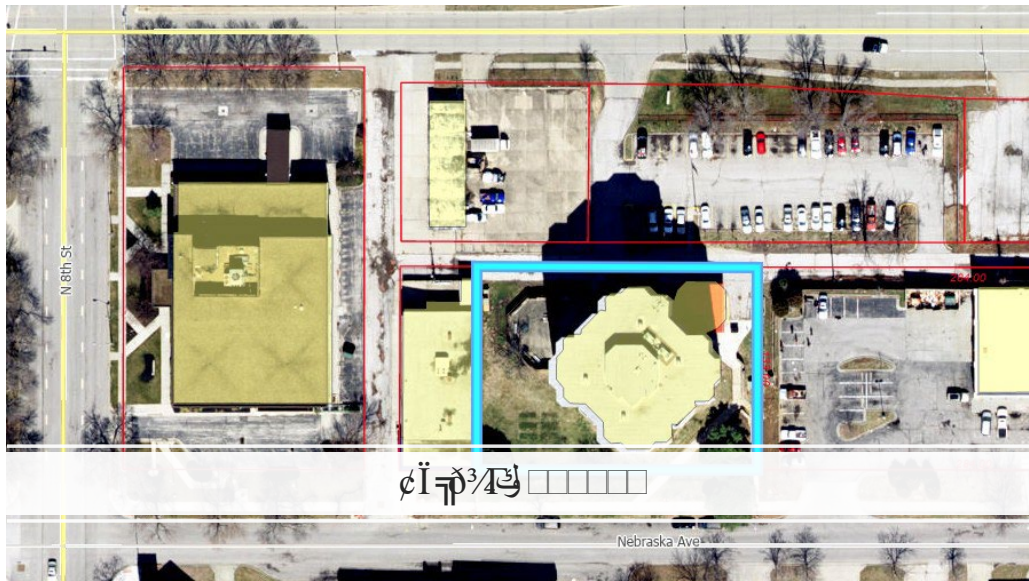
And for this parcel, again, lots of multi-family housing there. You have 10th Street to the west and due east of this is Big 11 Lake.



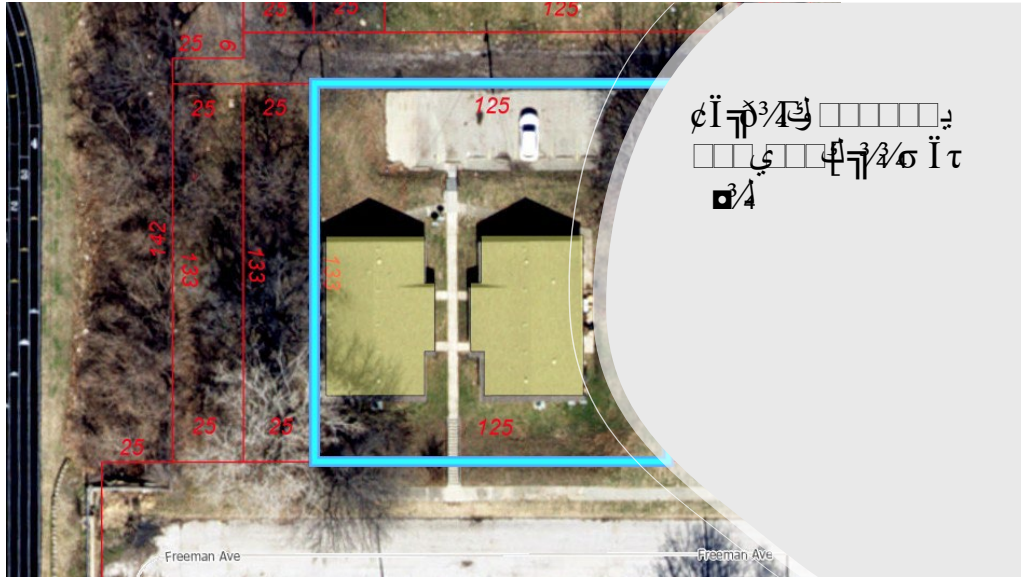
For this it's at 13th & Washington Avenue. It's also west of the Big 11 Lake. So, just right around there in that same area.



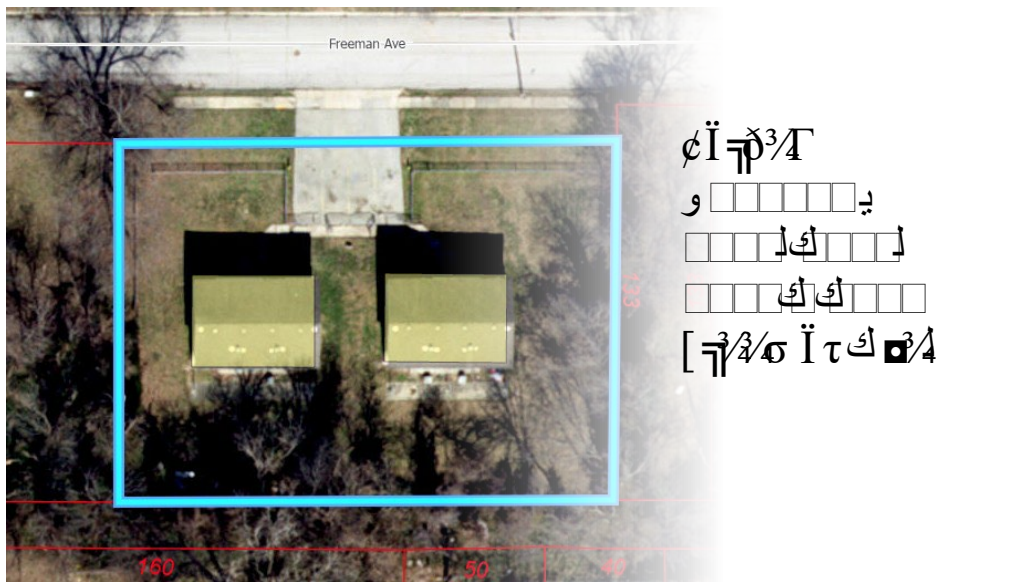
This is a duplex. It's located there at 9th & New Jersey. That's pretty easy to figure out where that one is.



This is the parking lot to that property, which are apartments, and that apartment building is located at 730 Nebraska Avenue.



And for this property right here it is at pretty much 7th & Freeman, just east of Sumner Academy. My alma modder if I could throw that in there.



And right here you have two duplexes located at 11th & Freeman. Again, north of Big 11 Lake.



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This one is at 11th & Ohio, just east of Pierson Elementary.



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Right here this is due west of I-70 and the river pretty much, and it's just located there at 8th & Lyon. There's Mill Street right there to the east of it. I would do bigger maps but then you wouldn't even be able to see the property really. So, this is about as good as I can do and just give you a little bit of narrative of where it's located.



And for this, same thing. It's 3rd & Greeley again. It's just down the street from the other property I just showed you.



This is at 5th & Stewart, and it's just south of Quindaro.



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This is on Parallel Avenue. It's 832, it's two different duplexes and it's up against the southwest corner of the cemetery there located off 9th Street.



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And then this is 8th & Lafayette. It's also alongside that cemetery.

need to go ahead and (inaudible) them at a later date, they can if they need to just narrow down their inventory or whatever they need to do with them. They don't have to worry about using the correct legal description that we make sure that we do it correctly. I'm waiting on correct legal descriptions from our Mapping Department who's helping me with those as well as our abstractors over in Delinquent Real Estate, and once I know I have the correct legal descriptions for those properties, then those will also get transferred. **Chairman Bynum** said about how many do you think that will be on round two. **Ms. Green** said oh less than 10. This is the biggest majority of them.

Chairman Bynum said any other questions? Can you remind me the duration of time that the Housing Authority has actively been managing operating and renting these properties? **Andrea Tapia, Director of Housing Authority**, said you can go back to 1962 and 72 and forward. So, we've been maintaining those properties for quite some time. **Chairman Bynum** said okay, so it's high time we take care of this cleanup effort. I don't mean to make light of it, but it is kind of a cleanup effort. Would you agree? And putting real property in the hands legally of where it actually belongs. **Ms. Tapia** said I agree. **Chairman Bynum** said okay, Ms. Tapia thanks for taking time to come to the meeting. Are there any comments you want to share with the committee tonight.

Ms. Tapia said I just want to say thank you for this opportunity. It's a Housing Authority that's been around for quite some time and so we're finding different things that need to be addressed that were not addressed. It's just nice to know that the Unified Government is willing to help us clean some things up and get organized. I just want to say we really appreciate it. **Chairman Bynum** said well, we're happy to be able to do it. **Ms. Green** said I'm sorry, if I may, a clarifying point, this resolution would actually take care of the other properties as well or if the commissioners would like, I can come back again when I have the correct legals for the other one, if you would rather I do that.

Chairman Bynum said what is the desire of the committee. **Commissioner Ramirez** said if we can take care of it in one fell swoop tonight, I'm okay with that. **Chairman Bynum** said okay, I'm seeing heads nod, so that's fine. I will ask our Clerk if there were any comments received by the public on the item. Anyone online have their hand up to speak. **Ms. Sparks** said no hands raised.

Chairman Bynum said and is there anyone in person, come to the microphone name and city of residents and three minutes.

Matt Watkins, Kansas City Kansas, said I serve as Chairman of the Housing Authority, and I would just want to thank you all for the time here to clean this up. I want to compliment staff. I do want to publicly acknowledge Andrea and her work here too because it has been an arduous task as you can imagine. So, thank you all for helping us do this. I am hopeful that this is the beginning of some times when you're going to see us come forward with some more exciting and innovative things for the Housing Authority. JD and I both were reelected as chair and vice chair this last week and we look forward to bringing some really exciting things for the Housing Authority forward. You guys will see it, and this is just the beginning of the cleanup that starts with the projects that you're going to see hopefully coming as soon as May. So, cross your fingers that we get an award and make sense. Thank you again.

Chairman Bynum said thank you very much. Any other person in person in the room that would like to speak to the item. Okay, I will entertain a motion for approval.

Action: **Commissioner Ramirez made a motion, seconded by Commissioner Davis, to approve as submitted.** Roll call was taken and there were five “Ayes,” Hill, Davis, Ramirez, Kane, Bynum.

Item No. 2 – 2147...RESOLUTION: CERTIFYING COSTS OF 2024 PRESIDENTIAL PREFERENCE PRIMARY

Synopsis: A resolution certifying the costs incurred by Wyandotte County in conducting the 2024 presidential preference primary, submitted by Michael Rankin, Assistant Counsel, Legal.

Michael Keith Rankin, Legal Counsel, said I'll talk a little about this one. This item is just to approve or to certify the cost of the presidential preference primary that was conducted back in March. With the ultimate goal being that the state will reimburse us for those costs. Normally, how we've done it for the last 30 years, the parties have done their caucuses, that's how they decide their candidates. This year the state decided to do the Presidential Preference Primary and so the

catch there is the state runs it. How the state runs it is through the counties. So, we bore the cost, the initial cost anyway of carrying out that election. The good news being though that the state will reimburse us that money and so the first part of that process is to certify those costs so we can get that ball rolling. The Election Office has calculated the cost of running that election. It came out to be at \$164,856 and on the attachment to the resolution kind of is a breakdown of that, of what all the costs were, and everything like that. That's kind of about it. Once it's passed, assuming it passes, the Election Office will forward it off to the Secretary of State and look at the ball rolling on having them reimburse us that almost \$165K.

Chairman Bynum said as far as our responsibility here, it will only be this resolution. You won't have to come back to us for a second thing? **Mr. Rankin** said I don't believe so. **Chairman Bynum** said so we will pass the resolution that certifies this is how much it cost and then you will send that on to the state so that you can be reimbursed. **Mr. Rankin** said that's correct. We might need all the commissioners to sign off on the certification, but the resolution is kind of—is that piece.

Chairman Bynum said, Madame Clerk, if I'm not mistaken this would come, assuming we would pass this here, then it would move forward to a full commission meeting and possibly on that night if there was a document that you needed every commissioner to sign, we could sign it. **Ms. Sparks** said that's correct and it would move forward to May 2nd. **Chairman Bynum** said May 2nd and then after that meeting you would just have the commissioners sign the document, if that's needed by the Election Office. **Ms. Sparks** said yes. **Chairman Bynum** said okay great. Any questions from the committee.

Commissioner Ramirez said after everything gets done, after you know we sign and certify the cost, how long does the state anticipate that the Election Office will receive the funds. **Michael Abbott, Wyandotte County Election Commissioner**, said I think they said end of June. I think is kind of the time frame, so pretty quick.

Chairman Bynum said okay, any other questions. Anyone online, Madame Clerk, have their hands up. **Ms. Sparks** said no hands raised. **Chairman Bynum** said I'm sorry did you receive any

written comments from the public. **Ms. Sparks** said no comments were received. **Chairman Bynum** said anyone in person want to speak on this item. Okay I will entertain a motion.

Action: **Commissioner Ramirez made a motion, seconded by Commissioner Hill, to approve as submitted.** Roll call was taken and there were five “Ayes,” Hill, Davis, Ramirez, Kane, Bynum.

Chairman Bynum said that is all of our agenda items this evening. I'll take a motion to adjourn.

Action: **Commissioner Ramirez made a motion, seconded by Commissioner Hill, to adjourn.** Roll call was taken and there were five “Ayes,” Hill, Davis, Ramirez, Kane, Bynum.

The meeting was adjourned at 5:51 p.m.

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**ADMINISTRATION AND HUMAN SERVICES
STANDING COMMITTEE MINUTES
Monday, May 20, 2024**

The meeting of the Administration and Human Services Standing Committee was held on Monday, May 20, 2024, at 5:16 p.m. The following members were present: Commissioner Bynum, Chairman; Commissioners Kane, Davis, Hill. Commissioner Ramirez was absent. The following officials were also in attendance: Alan Howze, Assistant County Administrator; Renee Ramirez, Director of Human Resources; Shakeva Christian, Manager in Human Resources; Casey Meyer, Senior Counsel; Angela Lawson, Acting Chief Counsel; Karl Oakman, Chief of Police; Dave Wimberly, Risk Manager; and Brittne MacDonald, UG Clerk Office.

Chairman Bynum said before I call this meeting to order, I want to announce that some committee members, staff, and public are attending remotely via Zoom as well as on site. All participants joining by phone should mute their phones when not speaking to avoid background noise. During the meeting, please make sure you announce yourself by name and title every time you speak to the public that is observing knows who is speaking. When speaking, be sure and speak directly into your microphone, so all comments are heard, and the record of the meeting is accurate. This is critical given the number of remote participants and is current guidance from the Kansas Attorney General.

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Chairman Bynum called the meeting to order. Roll call was taken, and all members were present as shown above.

May 20, 2024

Chairman Bynum said Clerk, do we have any revisions for our meeting tonight? **Brittnie MacDonald, Clerk's Office**, said no revisions.

Chairman Bynum said there are no revisions to tonight's agenda and there are no minutes to approve.

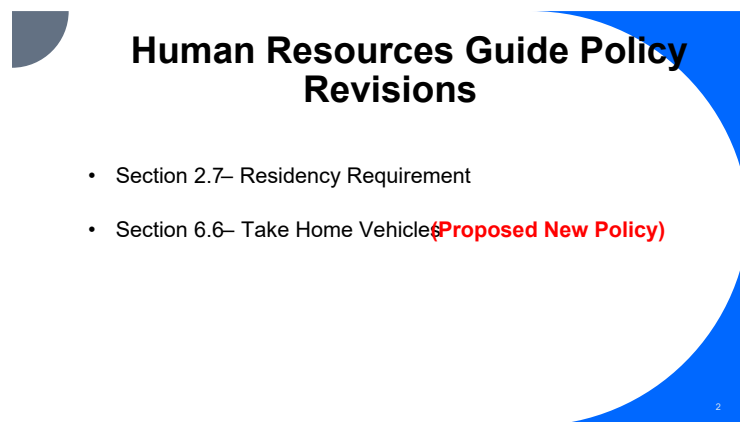
COMMITTEE AGENDA

Item No. 1 – 21104...RESOLUTIONS: HUMAN RESOURCES POLICY UPDATES

Synopsis: Two resolutions adopting approval of updates to the Human Resource Guide regarding the Take-Home Vehicle Policy and revisions to the current Residency Requirement Policy as a result of Workday, submitted by Renee Ramirez, Director of Human Resources.

Renee Ramirez, Director of Human Resources, said this evening before you we're bringing the first of a few policies that we're revising in the Human Resources Guide. The first that we're going to speak of is going to be Section 2.7, the Residency Requirement. Shakeva Christian, HR Manager, will go over some of the modifications to that policy. I do want to state that in no way do the revisions of this policy change the requirement of Unified Government employees having to live within Wyandotte County.

The second policy is going to be in Section 6.6. It's a Take-Home Vehicle Policy. This is a proposed new policy that we have not had before in our Human Resources Guide.



Human Resources Guide Policy Revisions

- Section 2.7- Residency Requirement
- Section 6.6- Take Home Vehicles **(Proposed New Policy)**

A few years back after we found the Legislative Auditor was doing an audit on take-home vehicles, and we didn't have one overarching policy for take-home vehicles for the different departments

here at the Unified Government, so HR halted their progress on developing this policy until the Legislative Auditor finished the audit, and then we picked that back up and brought stakeholders in for feedback. Dave Wimberly, our Risk Manager, will be going through the details of that policy. With that, I'll turn it over to Shakeva Christian.

Shakeva Christian, HR Manager, said just to go over the proposed changes to the residency requirement policy, as stated earlier, there is no proposal to change the requirements for employees to reside in Wyandotte County.

**Residency Requirement Policy
Overview of Revisions**

- Proposed revisions to the policy do not change the requirements to reside in Wyandotte County
- Policy revised to reflect process changes as a result of Workday
 - Paper Affidavit of Residency form no longer in use
 - Acknowledgements and documentation of residency automated
- Clarification that new hires who already live in Wyandotte must provide proof of residency at the time of hire.

Workday
Is Live

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Largely this policy is being reviewed for the new processes under Workday. There are a few changes to that verbiage wise that I will point out to you, but largely the reason for the review is due to Workday. There are no more paper affidavits for residency due to the Workday process, and all of the acknowledgements regarding residency are now automated. All of the documentation concerning how that is uploaded or acknowledged is all through our Workday process.

There are three things that I do want to point out with respect to content changes, and that is that we did clarify that new hires that do live in Wyandotte County must provide proof of residency just like all other employees or anyone that's living outside of Wyandotte County in their probationary period that would then move into Wyandotte County as a result of having a 12-month period to relocate. If you do live in Wyandotte County at the time of hire, you still will be required to provide that proof at the time of hire. For those new employees that do not live in Wyandotte County at the time of hire, we want those employees at the six-month period to provide Human Resources with an update of their progress. We just want to make sure that that's occurring

because it does sometimes take a little bit of time to establish if you're moving from one county to the other, you're putting houses on the market. We want to make sure that those things are being worked on while they are in that 12-month period that they have. We included that information in the policy to make sure employees that are new to Wyandotte County and new to the Unified Government are making those arrangements to be in compliance.

The other change with respect to new hires is those employees that have a lease outside of Wyandotte County, they must notify Human Resources if they are going to renew a lease that's outside of Wyandotte County and the reasons for that, and we would review each of those on a case-by-case basis. And then finally, we will now start having all employees acknowledge annually their current addresses and making sure that they have proper documentation for where they reside. That's the gist of that policy. Any questions about that?

Chairman Bynum said I have a question. As far as the paper affidavit, going paperless, but if I'm a new hire, either way, moving into the county or I already live here, I'm apparently uploading some document electronically, right? So, we're still having the evidence, we're just keeping less paper. Is that correct? **Ms. Ramirez** said yes, that is correct. You're still having to provide that information, just in a different format.

Chairman Bynum said other questions? **Commissioner Hill** said yes. I have a question. Thank you for the information. I believe one of the comments I've heard from your department, that one of the challenges for hiring new staff is this residential policy. And I know I've heard the same from the school district, the Police Department, Fire Department. So, I mean I'm just—Okay. Let me ask another question. How long has this policy been in place? **Ms. Ramirez** said this policy has been in place for several, several years. **Commissioner Hill** said at the beginning of the Unified Government when things were changed? **Ms. Ramirez** said yes. **Commissioner Hill** said okay. **Ms. Ramirez** said the city has always had the residency requirement within Kansas City, Kansas. When we consolidated on October 1, of 1997, is when the merger occurred, when it broadened the area to include Wyandotte County, which is how we got Bonner Springs and Edwardsville. So employees would then have the opportunity to live within Wyandotte County instead of just the city of Kansas City, Kansas, because we were unified at that point. **Commissioner Hill** said okay.

Alan Howze, Assistant County Administrator, said and just maybe, Commissioner, one point of clarification. You mention the school district. The school districts don't have residency policies. Our local government is the only one in Wyandotte County that has a residency policy. Just to clarify that. **Commissioner Hill** said sorry about that. I think they used to, though. Maybe not. **Mr. Howze** said I'm not sure if they did or not, but they certainly, none of the school districts have a residency requirement currently.

Chairman Bynum said you know, Dr. Hill, what I think I remember is that they had certain administration levels and higher were required to live in Kansas City, Kansas, and if I'm not mistaken, our Board of Public Utilities has a residency requirement. Is that not correct? **Mr. Howze** said correct, as a sub agency of the Unified Government. **Chairman Bynum** said a sub agency of us. Okay. Go ahead Dr. Hill. I'm sorry.

Commissioner Hill said so with that said, could we do something different? I'm just asking. **Chairman Bynum** said I will say I think it's always worth looking at these policies. We've had presentations brought to us by the Fire Chief, the Police Chief, even the Sheriff, to speak to us about the constraints it puts on hiring. And we have, in the past, even asked this question on our community survey, and we've used those survey results to guide policy making. The year that we did ask that question, which I believe was probably two years ago, those results came back from the citizens far more in support of keeping the policy than removing it. And so it's a difficult decision for us to make, and it's also a policy decision that's going to have to come to the Commission. Ultimately, we would be the ones that would bring forward a change. But I feel like the citizen survey was largely the reason why no change has occurred yet. Because when we saw the results of that it gave us a certain comfort level to continue the policy. So we're going to have to really, I think, do some more study and research and ponder before we do make a change to something like that. Thanks for asking the question. It's a good question, and it's a good conversation to have.

Commissioner Hill said thank you, Commissioner Bynum. I appreciate that, and I hope we can do some further surveys or whatever we need to do because we complain. We just heard a citizen complain about a particular item in the previous meeting, and maybe part of that even is because of lack of staff. I don't know. I'm just saying. If we're going to be proactive, that might be an area where we can make some changes and get more movement for improved services here at the UG. **Chairman Bynum** said thank you. That's a point well taken.

Commissioner Kane said exactly what Commissioner Bynum said. We did the survey, and it was overwhelmingly saying that they had these good jobs with these good benefits, that they should be required to stay here, and if we need to do another survey, I'm okay with that. But the number was so large saying that they should stay versus not staying, and I also think we done a much better job. The Fire Department has hired a bunch. The Sheriff's Department has hired some more. So, should we do another survey? Absolutely. But, in the past, and we've done this more than once, they have said no, we'd just as soon they stay.

Commissioner Davis said a couple of comments and then a question. So, regarding the residency requirements, I do think more engagement is needed. I have heard comments, and that there's some data out there. It might have, I don't know if it is 2022 or it might have been a 2020 or 2019 community survey, I don't even know if we're still doing those anymore. But I do think getting an updated opinion would be very beneficial. I've had conversations with folks throughout Wyandotte County that are on both sides of this issue. What I will say is that there are a lot of our peers that are still struggling to hire that do not have a residency requirement. The DA got rid of the residency requirement, which is within his right. And so that is the other thing to consider. I do think we should have a data driven conversation. It shouldn't just be whether or not you live in Wyandotte County. We really have to weigh the costs and see if school districts or others that have gotten rid of this residency policy are actually doing better as opposed to just saying well, if we got rid of it, it would—KCMO got rid of theirs, and they're still struggling to hire. They just increased the Police Department. They just increased the pay to \$65,000, so there are other things that should be considered.

When I worked for the city of Lawrence, for example, the change that was made was if you were a department head you had to live there or up. So there are other conversations that can be had about this. I don't think it's kind of black and white, but I do think more updated data is needed. Regarding what we have before us for the change, if my packet is accurate, and I'm looking at the residency requirement policy, so it's section 2A. It has a change that implies, at least with my reading, that the—and maybe I need to keep reading. But based upon that amended sentence, it is implying that only those administered by the County Administrator that's a UG employee would have to abide by the residency requirement, and then I see a strikeout for the

executive in the Mayor's Office. So maybe I need to keep reading or I missed something, but is this policy saying that the Mayor's Office no longer has to require residency for the Unified Government, or am I misreading that? **Chairman Bynum** said Commissioner Davis, I am looking at my packet, and I don't see that at all, so I don't know if we're looking at two different packets, Alan? **Mr. Howze** said if you keep going there is a red line version in your packet. **Chairman Bynum** said oh, there sure is. I'm so sorry. I thought I had scrolled to the end. Okay. So 2A. **Ms. Christian** said I think it was struck to reflect that the employee's are employed under the County Administrator versus CEO. But certainly, we can take note.

Chairman Bynum said to me, Ms. Christian, the question that Commissioner Davis brings up, and you will have to tell me if I'm right or wrong, but if I am the Mayor/CEO, I make my own hires in my office, and they work for me. Is that right or wrong? Or are they under the direction of our County Administrator? **Ms. Christian** said your understanding is correct. They work under the Mayor, those in the Mayor's Office. **Chairman Bynum** said and so if we strike, or the Chief Executive/Mayor, we're in effect eliminating their residency requirement. Would that be true, Legal? **Casey Meyer, Senior Counsel**, said that's correct the way it's worded. Yes.

Commissioner Davis said do we have a member of the Mayor's Office that could provide some clarity or I don't know if this is a preference of theirs? I don't want to speak for staff. Could someone provide some information as to how this came about or what the reasoning is behind this? I'm curious. **Chairman Bynum** said was that brought as any suggestion from our Mayor's Office? **Ms. Christian** said no ma'am. **Chairman Bynum** said it was brought within the HR Division? **Ms. Christian** said correct. **Chairman Bynum** said okay.

Mr. Howze said maybe I'll just add, I think it's hard, this understanding that we have now where the DA, for example, can set his own residency policy. So there is a difference for elected officials, and this is really reflecting that organizationally the Civil Service, if you will, of the Unified Government reports up and through the County Administrator, and so this policy is really applicable to that. But the Constitutional Officers have their own latitude to have a residency policy or not. **Chairman Bynum** said now I'm going to push back on that a little bit because it's my understanding that the DA's explanation for why he was able to do that was because he is basically an officer of the state. **Ms. Meyer** said that's true, but also because he's an elected official, he can set his own policy. Similarly, the Sheriff, he's an elected official, he could set his

own policy. Technically, his employees wouldn't have to comply with our Unified Government policy.

Chairman Bynum said, committee, I'm going to suggest leaving for the Chief Executive/Mayor in the wording of Section 2A. That's my suggestion.

Commissioner Kane said well, I got a push back myself. I know the Sheriff's Department can do certain things, but I don't think that's one of them. Something this big, I think we should have on-threes to discuss how we should go about doing this and whether we want to do another survey or so. Unless they're saying it's just simple enough we're not going to move anything right now, and this is just something to kind of update what we're doing and then do a survey later. I'm okay with that, too.

Chairman Bynum said Well, I appreciate that. I would say that in looking at the strikethroughs, and I had read it in the section above. So, I'm reading it again with the strikethroughs, and nothing had bothered me about it when I was reading it without the strikethroughs. And so, the rest of what you bring to me is acceptable, if you will. But I am questioning removing the CEO/Mayor because I believe, and again, it's going to be an opinion, that employees working for our Mayor should live in Wyandotte County if in fact our policy is you need to live in Wyandotte County to work for the Unified Government. I don't know why we would carve out the top elected position within that government.

Commissioner Davis said I agree with you, Chairwoman. I think that, I mean what has been brought to us, I think, is good, and it cleans up a lot of things. I see the Workday mentioned as well. I mean, there is a lot of good stuff in here. But I am absolutely not for that, giving that latitude. I do not see the Mayor or the County Executives or the Chief Executive Officer as a constitutional office in the same way that the DA or the Election Commissioner or the Sheriff is. With that, I think it just makes sense. If you work for the Mayor or the Chief Executive Officer of your community that you have to live here. That is not optional. I don't think that that should be optional. And so I would be in favor of everything else, but I would not be in favor of that particular strikeout. And I do agree that a larger conversation on residency and a more comprehensive study on residency should take place. I don't necessarily think that that means we

can't make a decision tonight, though. **Chairman Bynum** said I would agree with you, and I appreciate that.

I would be willing to take a motion accepting the changes with the exception of 2A, leaving in the phrase or the Chief Executive/Mayor of the Unified Government and then adopting the rest of the policy as presented if someone would be willing. **Commissioner Kane** said are we doing that in the form of a motion? **Chairman Bynum** said please. **Commissioner Kane** said well, I asked you if you were doing that in the form of a motion. **Chairman Bynum** said oh, I would be willing to accept you doing that in the form of a motion. **Commissioner Kane** said okay.

Action: **Commissioner Kane made a motion accepting the changes with the exception of 2A, leaving in the phrase or the Chief Executive/Mayor of the Unified Government and then adopting the rest of the policy as presented.**

I'll make the motion exactly the way you said. **Chairman Bynum** said okay. Thank you. Is there a second to that motion? **Ms. MacDonald** said we have to have the public forum before the motion. Public comment. **Chairman Bynum** said okay. We'll hold on that motion for just a moment. We've had committee comments, so we will ask if there were any comments received from the public? **Ms. MacDonald** said no comments received. **Chairman Bynum** said okay is there anyone online from the public that wishes to speak? **Ms. MacDonald** said yes. We have one hand raised for A. J. L. Please state your name, and you will have three minutes.

Angela Lawson, Interim Chief Council, said I just wanted to say that the statutes are different for each of the elected's offices. The Sheriff's employees do have to follow the personnel codes. **Chairman Bynum** said okay. **Ms. Lawson** said so that was what I just wanted to provide clarity on. But those statutes vary per elected office. **Chairman Bynum** said okay, so, for example, within the DA's purview per state statute, he did have the latitude, but within the Sheriff and those statutes that elected official does not have the latitude. Right? **Ms. Lawson** said correct. Those are very different. I haven't pulled up the District Attorney's one, but that is my recollection of his, but I just double checked the Sheriff's, and they do have to follow. **Chairman Bynum** said okay. I appreciate that very much.

Commissioner Hill said yeah, just another question. I know we're moving forward with the motion and a second now, but when will we come back to this and have this conversation in more detail? **Commissioner Bynum** said I think that is a request that should be made to our Mayor and our Administrator. Because perhaps it is a discussion at a special session more than likely, so it would not hinder the work here, but as Commissioner Kane I think also indicated, and even Commissioner Davis, it is worthy of more conservation, but I think it's a request that's going to go through our Mayor and our Administrator. **Commissioner Hill** said okay. Thank you.

Chairman Bynum said Clerk, are there other hands up online? Is there anyone in the audience present that would? Chief, please? You may come forward if you like. Come up to the table, and take the microphone, and speak to us, please.

Chief Oakman, Police Department, said real quick, the only comment I had was on the six months, that is new, and most of our people at six months they're not nowhere near ready to move in because they had just, it takes them five months to get out of the academy, so that would be putting additional pressure on them when they have a year, and we're requiring them to give something in six months. **Chairman Bynum** said and for the record, if after six months a new hire has not relocated to Wyandotte County they will need to provide Human Resources a written update of lack of their progress? **Chief Oakman** said yes. That's new. That's a new thing. **Chairman Bynum** said do you think that's an undue burden? **Chief Oakman** said I think so, for us. Now, I don't know about the rest of the departments.

Chairman Bynum said correct me if I'm wrong Renee. Is that an email from me to you saying I've looked at these ten apartments. **Ms. Ramirez** said so what we're looking for here is just basically that, something from the new hire that basically says I've started looking at apartments or looking at different locations on where to relocate in Wyandotte County. I think what we're trying to avoid is that new hires actually sending information for extensions in month 11, and no progress has been made. **Chairman Bynum** said I don't want to assume anything, but sometimes it sounds like it's because we haven't made any progress because we haven't tried. **Ms. Ramirez** said that's correct. **Chairman Bynum** said and Chief, to your point, I'm in the academy so it's hard for me to find something in a six month time when five of the six months I'm in the academy.

Chief Oakman said correct, and if we, I mean we give them 12 months. If they move in 11 months and 15 days, they get 12 months. **Commissioner Bynum** said that's right. **Chief Oakman** said I get it. I understand. I agree with Renee 100%, but I think what it does is it's still cutting into that we're not trying to expand the residency, we're trying to restrict it. Just something to think about. **Chairman Bynum** said Commissioners, any thoughts on that comment?

Commissioner Davis said so, in line with that, and how I'm reading this, it is not necessarily saying if you haven't moved here in six months you can't work here. What I'm reading is if after six months you haven't—within six months we need you to give us some idea of what the progress has been. I would be amendable to changing that to nine months to accommodate, and this is just an idea off the fly, Committee, but nine months to accommodate such situations where, particularly for folks getting out of the academy, you get those additional three months to advise on progress, and, of course, you have another three months if you're at nine, right, to get to 12. You have another three months to actually move. So, that would be an idea. I would love to hear what other folks think. I'm curious, for Chief Oakman, if that does satisfy some of those concerns.

Chief Oakman said I agree 100%. I was thinking the exact same thing Commissioner Davis. **Chairman Bynum** said thank you for that. I appreciate that. So, Committee, that would be a modification of 2C.

Commissioner Kane said are we done with the public? **Chairman Bynum** said let me double check. Thank you, Commissioner Kane. Are there others that want to speak on the item? Online or in person. **Ms. MacDonald** said no hands raised. **Chairman Bynum** said okay. Commissioner Kane.

Action: **Commissioner Kane** made a motion to modify his motion from six months to nine months.

Chairman Bynum said okay. So the motion, if I could restate it, would include removal of the strikeout in A, 2A in putting the words or the Chief Executive/Mayor of the Unified Government back into that section of the policy. In 2C we would modify if after nine months a new hire has

not relocated. Commissioner Kane, is that acceptable as your motion? **Commissioner Kane** said perfect.

Chairman Bynum said and is there a second? **Commissioner Davis** seconded the motion. **Chairman Bynum** said any further discussion? Clerk, let's have roll please.

Roll call was taken, and there were three "Ayes," Davis, Kane, Bynum, and one "No," Hill.

Chairman Bynum said so, Committee, because the motion fails, it's three to one in favor of. However, in order for an item to move forward for adoption by full committee it requires a minimum of four votes in favor. So, what that means is that this is going to have to either come back in some new form. Casey, please enlighten us on next potential steps or I guess it's possible that there just won't be a revision. **Ms. Meyer** said well, I think that the department can take into consideration the comments tonight and then bring it back in the future. **Chairman Bynum** said okay. So we could put failed for tonight. This portion of the policy is failed for tonight. We could see it again next month possibly. My suggestion would be to talk with Commissioner Hill specifically to see if there is something that would be amenable, and then we do still have a second portion of this HR guide revision that you're wanting to bring forward if you want to go ahead and walk us through that section now.

Ms. Ramirez said yes, we do. We'll move forward with Dave Wimberley and the take-home vehicle policy. **David Wimberly, Risk Manager**, said tonight, we are proposing a new policy of, let's just call it our take-home vehicle policy. The purpose of this policy is to establish strong internal control systems to ensure the UG vehicles are being used appropriately.

Key Elements of Take Home Vehicle Policy

Centralized Authorization Process:

- Use of vehicle based on beneficial need for delivery of service for UG business
- Driver's must maintain a valid Kansas DL based on class of vehicle
- "Take Home Vehicle Authorization Form" must be completed at onset and annually thereafter
- Operators subject to annual motor vehicle checks
- Take Home Vehicles are only authorized when there is clear and convincing justification to do so
- Departments can set a stricter policy subject to the County Administrator's approval
- County Administrator must approve all take home vehicles for director level positions and above

Responsible Use of Take Home Vehicle:

- Only authorized employees are permitted to operate vehicle
- Non-business passengers (g. family/friends) prohibited from riding in vehicle
- Only "de minimus" personal use is permitted
- Travel 50 miles outside of Wyandotte County is prohibited unless approved by department
- Employees must abide by all state, federal, and local laws while operating vehicle.
- Operators must abide by HRG policies for Substance Abuse; Driver's Safety; Use of Cell/Electronic Devices While Driving
- Operators must inform UG of any traffic citations or suspension of driver's license while operating a UG vehicle or personal vehicle (if that citation affects the status of the driver's license).
- Violations of the policy could result in revocation of take home vehicle and/or disciplinary action up to and including termination.

Some of the key elements of this take-home vehicle are the use of the vehicles based on a beneficial need for delivery of services of the Unified Government. Drivers must maintain a valid Kansas driver's license based on the class of vehicle they'll be operating. A take-home vehicle authorization form must be completed at the onset or annually thereafter an employee has been granted the use of a take-home vehicle. The operators will be subject to an annual motor vehicle check. The take-home vehicles are only authorized when there is a clear and convincing justification to do so. Also, some departments can set stricter policies subject to county administration's approval.

Take Home Vehicle Policy

Purpose of new policy

The purpose of this policy is to establish a strong internal control system to ensure UG vehicles are being properly used and comply with local, state and federal regulations.

Note: Police, Fire and Public Works have set aside departmental policies that must abide by this general policy (These depts account for more than 90% of UG take home vehicles)

Rationale for creating new policy

- UG liable for improper UG vehicle use
- No current centralized system of authorizations
- No current centralized system of tracking vehicles authorized for take home purposes
- No formal policy concerning take home vehicles for non public safety and non-public works departments
- HR previously began development of this policy. It was placed on hold due to an Audit by the Legislative Auditor. This policy contains all recommendations of the Legislative Auditor.

Ms. Ramirez said I'm sorry to interrupt, but before we get into the details of the policy, I would like for us to go over the rationale for creating the new policy because I think you have to have the rationale to get the full understanding of why we're making a change on the policy. And again, as Dave mentioned, the purpose of this policy is to establish a strong internal control system to ensure that the vehicles are being used properly. That is something that we haven't had before. The second thing is that HR was working on this policy. The Legislative Auditor took it up and did an

audit and came back with some of the same findings that we actually are establishing within this policy. So again, the rationale for creating the policy is that UG liability for the improper use, you know when you're not properly utilizing Unified Government vehicles that is a liability and a risk to our organization, which ultimately costs us money. Again, no current centralized system of authorizing who gets a take-home vehicle and for what business necessity and why. We needed to have a system that was going to track this so that way if we're asked questions, we have the data, and we can make decisions based off of the data. No formal policy has ever been in place. Those are the reasons why we wanted to bring forth an overarching umbrella policy. There are specific departments that actually have their own internal policies that could be stricter than the overall policy. The Police Department has a take-home vehicle policy. The Fire Department has a take-home vehicle policy, and the Public Works Department also has a take-home vehicle policy. We've taken all of that information and kind of incorporated some of those things to develop the policy that we're bringing forward to you this evening.

Mr. Wimberley said thank you, Renee. Some of the responsibilities of a take-home vehicle—only authorized employees are permitted to operate this vehicle. There will be no non-business passengers. Family, friends would be prohibited from riding in the vehicle. The vehicle could only be used for de minimums personal use. That would be permitted—that would be something if an employee needs to pick up a prescription on their way home, and it's on the route home. They can't go out of the way to pick up that prescription, that's as an example. Travel 50 miles outside of Wyandotte County is prohibited unless approved by the department. Employees must abide by all state, federal, and local laws while operating the vehicle. Operators must abide by the HRG policies for substance abuse, driver's safety, and use of cell phones while using the vehicles. And the operators must inform the UG or their department of any traffic citations or suspensions of their driver's license while operating a UG vehicle or personal vehicle, particularly if that citation affects the status of their driver's license. For example, if they get suspended or revoked. And then all violations of this policy could result in revocation of the take-home vehicle and/or disciplinary action up to and including termination.

Main take aways

Adopting this policy will ensure the Unified Government is complying with state and federal regulations, which prohibits private use of publicly owned vehicles.

Enactment of this policy provides an avenue to revoke access to a take home vehicle due to policy violation

Implementation of this policy will reduce the Unified Government's liability due to unauthorized use

6

Some of the main take-aways of this policy is adopting this policy will ensure the Unified Government is complying with state and federal regulations, which prohibits private use of publicly owned vehicles. Enactment of this policy provides an avenue to revoke access to a take home vehicle due to a policy violation. Implementation of this policy will reduce the Unified Government's liability due to unauthorized use.

Next Steps:

- All departments supply a list of individuals that have been issued takehome vehicles and complete Take Home Vehicles Authorization forms for each.
- County Administration to review department specific policies for approval.
- Human Resources to crossreference department forms with Fleet Maintenance records to ensure all vehicles are captured.
- Human Resources to complete motor vehicle records checks of individuals that have been issued TakeHome Vehicles.
- Human Resources to ensure individuals authorized to use/drive a take-home vehicle are in the random drug and alcohol pool.

The next steps with adopting this policy is all departments will supply a list of individuals that have been issued a take-home vehicle and complete a take-home vehicle authorization form for each employee that has a take-home vehicle. County Administration is to review the department specific policies for approval. Human Resources will cross-reference department forms with Fleet Maintenance records to ensure all vehicles are captured, all vehicles that are used as a take-home vehicle are captured. Human Resources will then complete motor vehicle record checks for individuals that have been issued a take-home vehicle. And also, Human Resources will ensure individuals authorized to use or drive a take-home vehicle are in the random drug and alcohol pools.

Chairman Bynum said okay. Thank you very much. Questions from the Committee? Is there anyone online from the public that wishes to speak on the item? **Ms. MacDonald** said no hands are raised. **Chairman Bynum** said and anyone here in person that wishes to speak. We have no comments from our commissioners and no comments from the public. Is there a motion to adopt this policy as presented?

Action: **Commissioner Hill made a motion, seconded by Commissioner Kane, to approve as submitted.** Roll call was taken, and there were four “Ayes,” Hill, Davis, Kane, Bynum.

Adjourn

Chairman Bynum said thank you very much and thank you Human Resources. Really appreciate your work. That does conclude our meeting, and I would entertain a motion to adjourn.

Action: **Commissioner Kane made a motion, seconded by Commissioner Davis, to adjourn.** Roll call was taken and there were four “Ayes,” Hill, Davis, Kane, Bynum.

The meeting was adjourned at 6:01 p.m.

dt/bs



Report to Administration & Human Services

MEETING DATE	PRESENTER	DEPARTMENT
	<div style="border: 1px solid black; padding: 2px;">J. Renee Ramirez, Director</div> rramirez@wycokck.org x5665	Human Resources
AGENDA ITEM #4.1.		
APPROVAL: TRANSIT DRUG AND ALCOHOL POLICY CHANGES		
BACKGROUND		
Approval of revisions to HR Guide 7.4A - DOT Federal Transit Authority Policy.		
RECOMMENDATION		
Approve		
For approval by AHS on 7/28/25 and BOC 08/07/2025		
BUDGET IMPACTS / FINANCIAL CONSIDERATIONS		
LEGAL/ POLICY CONSIDERATIONS		
ATTACHMENTS		
Substance Abuse 7.4A-DOT-FTA-updated 2025_TKF-FTA rev, AHS Standing Committee Presentation 070925.final		

Approved by Mayor/Administrator to add to agenda.

Policy on Substance Abuse and Drug and Alcohol Testing

Adopted ~~06-08-07~~~~xx-xx-xx~~

**UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS
TRANSIT DEPARTMENT
EMPLOYEES IN SAFETY SENSITIVE POSITIONS**

**POLICY ON SUBSTANCE ABUSE
AND DRUG AND ALCOHOL TESTING**

**Adopted by the Board of Commissioners of the Unified Government of
Wyandotte County/Kansas City, Kansas**

Adopted: June 8, 2007~~xx-xx-xx~~

Last revised: October 17, 2019

Table of Contents

	<u>Page</u>
I. Purpose and Scope	3
II. Condition of Employment	5
III. Applicability	5
IV. Definitions	5
V. Prohibited Activities	8
A. Alcohol	8
1. Possession	8
2. On-Duty Use	8
3. On-Call Use	9
4. Pre-Duty Use	9
5. Use Following Accident	9
B. Drugs	10
1. Positive Test	10
2. On-Duty and Pre-Duty Use	10
3. Drug Possession	10
4. Legal Drugs	10
C. Refusal to Submit to Test	10
D. Obstruction of Testing Process	12
VI. Testing in General	12
A. Substances To Be Tested For	12
B. Prohibited Amounts	12
C. Procedures	12
D. Request for Retest	13

E. Use of Results 13

1

VII. Types of Testing 14

A. Pre-employment/Post Offer Testing 14

B. Post-Accident Testing 15

C. Random Testing 17

D. Reasonable Suspicion 18 E. Return to Duty 19

F. Follow-Up
20

G. Dilute Urine Specimen 21

H. Split Specimen Test 21

VIII. Consequences of a Confirmed Positive Test Result
or Refusal to Take a Drug or Alcohol Test 22

A. Applicants 22

1. Non-Employees 22

2. Employees Seeking Safety Sensitive Positions 22

3. Previously Failed or Refused 22

B. Employees 22

1. In General 22

2. Removal from Safety Sensitive Functions 22

3. Discipline 23

4. Referral, Evaluation, Treatment and Retention of Employment 24

IX. Employee Assistance Program 27

X. Notification To Employees 27

XI. Contact Person 28

XII. Training of Employees and Supervisors 28

XIII. Record Keeping and Confidentiality 28

XIV. Search and Seizure 30

Policy on Substance Abuse and Drug and Alcohol Testing

~~Adopted 06-08-07~~~~xx-xx-xx~~

**POLICY ON SUBSTANCE ABUSE AND DRUG AND ALCOHOL TESTING
FOR THE
UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS
TRANSIT DEPARTMENT
EMPLOYEES IN SAFETY SENSITIVE POSITIONS**

~~2007~~ 2025

I. Purpose and Scope

The Unified Government is committed to programs that promote safety in the workplace, employee health and well-being, and public confidence. The federal Omnibus Transportation Employee Testing Act of 1991, Public Law 102-143, Title V, requires alcohol and drug testing of certain Unified Government employees. Consistent with the spirit and intent of the federal law and the Unified Government's commitment to safe and effective workplaces, the Unified Government has developed this policy statement regarding substance abuse and establishing an alcohol and drug testing program for Unified Government Transit Department employees who perform "safety sensitive" functions.

The Unified Government recognizes that many areas of its operations involve hazardous work and that all areas involve the public directly or indirectly. The Unified Government and each of its employees are responsible for providing safe and efficient operations for the protection and benefit of the public and fellow employees. The welfare of the public and UG employees requires that the operation of public transit vehicles and other safety sensitive functions be performed by employees who are physically and mentally fit and who do not misuse alcohol or legal drugs or use illegal drugs. The objective of this policy is to help prevent accidents and injuries resulting from the misuse of alcohol or legal drugs and illegal use of drugs by drivers of public transit vehicles and other employees in safety sensitive positions and to eliminate misuse of alcohol and legal drugs and illegal use of drugs and their effects in the workplace. With the cooperation of its employees, the Unified Government seeks to accomplish this objective consistent with prevailing legal principles and by means that least intrude upon its employees' legitimate expectations of privacy.

Employees who use illegal drugs or abuse alcohol or legal drugs are personally responsible for seeking evaluation and undertaking their own rehabilitation. The Unified Government encourages employees with substance abuse problems to seek help through the Employee Assistance Program, which provides free, confidential professional assistance to employees and family members.

The Unified Government recognizes that cooperation between employees and management is important in dealing with problems caused by substance abuse. Because the Employee Assistance Program is confidential, the Unified Government will not know about an employee who has sought help for a substance abuse problem. If an employee voluntarily seeks help through the Employee Assistance Program, the Unified Government will not impose discipline

for that action alone. The Unified Government will not consider the employee to have voluntarily sought assistance if the assistance is sought following an accident, initiation of an investigation, request for drug or alcohol test, threat of disciplinary action, arrest, or other manifestation of a substance abuse problem in the workplace.

Not all employees with substance abuse problems will voluntarily seek assistance. To carry out its responsibility to promote a safe and efficient workplace and the safe operation of public transit vehicles and in order to assist in determining the physical and mental abilities of its employees, the Unified Government has established a drug and alcohol testing program, which includes applicable provisions of the alcohol and drug testing rules adopted by the Federal Transit Administration (FTA). This policy contains guidelines for the detection of misuse of alcohol and illegal use of drugs and outlines the responsibility of supervisory employees, nonsupervisory employees, and applicants for employment. The Unified Government will require drug or alcohol tests or both of applicants for employment and employees in the following circumstances:

- Pre-employment/post offer (drug test only);
- Random;
- Under certain circumstances when there is reasonable suspicion to believe an employee is impaired; Following certain accidents;
- Upon return to duty; and
- During or following drug or alcohol rehabilitation.

This policy is intended to comply with all applicable federal regulations governing workplace anti-drug and alcohol programs in the transit industry. The Federal Transit Administration (FTA) has published 49 CFR Part 655, as amended, that mandates urine **or oral fluid** drug testing and breath **or oral fluids** alcohol testing for safety-sensitive positions and prohibits performance of safety-sensitive functions when there is a positive test result. The U.S. Department of Transportation (DOT) has also published 49 CFR Part 40, as amended, that sets standards for the collection and testing of urine, **and** breath, **or oral fluid** specimens. In addition, the federal government published 49 CFR Part 29, “the Drug-Free Workplace Act of 1988,” which requires the establishment of drug-free workplace policies and the reporting of certain drug-related offenses to the FTA. Those requirements are incorporated in HRG Policy 2.4. The Unified Government has also adopted certain provisions in this policy which are not mandated by FTA regulations, and those provisions are so noted as required by 49 CFR §655.15(j).

This policy in part reflects the requirements of the Federal Transit Administration of the U. S. Department of Transportation and is intended to be construed together with the Unified Government’s Human Resources Guide (HRG) and any applicable bargaining agreements. The Human Resources Guide or an applicable bargaining agreement may contain stricter requirements concerning employee conduct and, if so, the HRG or the applicable bargaining agreement will apply. If this policy contains stricter provisions than the HRG or an applicable bargaining agreement, this policy will apply.

II. Condition of Employment

Compliance with this policy is a condition of employment. Refusal to take a drug or alcohol test or failure to pass a drug or alcohol test is just cause for discipline up to and including discharge.

III. Applicability

This policy applies to all Transit Department employees in safety sensitive positions; all applicants for employment in such positions who have been offered a position; and all employees who apply for transfer to such positions. The position titles of each position that includes the performance of safety-sensitive functions are listed in Appendix A, regardless of the percentage of the position's duties that are safety sensitive.

IV. Definitions

The following terms shall have the following definitions unless the context clearly indicates another meaning.

Accident means an occurrence involving one or more of the following: (1) death; (2) bodily injury of either an employee or a nonemployee who, as a result of the injury, immediately receives medical treatment away from the scene of the accident; (3) disabling damage to one or more motor vehicles as a result of the accident, requiring the vehicle to be transported away from the scene by a tow truck or other vehicle; (4) when an employee is issued a citation as a result of an accident. *[#(4) is UG not FTA required]*

Actual knowledge means actual knowledge by a supervisor that an employee has used alcohol or drugs based on the supervisor's direct observation of the employee, information provided by the employee's previous employer(s), a traffic citation for driving a commercial motor vehicle while under the influence of alcohol or drugs, or an employee's admission of alcohol or drug use except as provided in section VIII.B.4.l. Direct observation as used in this definition means observation of alcohol or drug use and does not include observation of employee behavior or physical characteristics sufficient to warrant reasonable suspicion testing under section VII.D. of this policy. *[UG not FTA required]*

Alcohol means the intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols including methyl or isopropyl alcohol.

Alcohol concentration (or content) means the alcohol in a volume of ~~blood or~~ breath expressed in terms of grams of alcohol per ~~100 milliliters of blood or~~ 210 liters of breath as indicated by an evidential breath test.

Alcohol test means analysis of a sample of breath ~~or blood~~ to determine the alcohol concentration. ~~[UG not FTA required]~~

Commented [TF1]: This clarifier could be removed now that the definition describes a DOT alcohol test.

Alcohol use means the drinking or swallowing of any beverage, liquid mixture, or preparation, including any medication, containing alcohol. ~~[UG not FTA required]~~

Applicant means an applicant for employment for a position covered by this policy, including a current Unified Government employee who applies to transfer to a position covered by the policy. ~~[UG not FTA required]~~

Collection site means a place designated by the Unified Government where individuals present themselves for the purpose of providing a specimen ~~of their breath, blood, or urine~~ to be analyzed for the presence of drugs or alcohol. It may include a mobile collection facility, a UG facility, hospital, or other facility.

Commercial motor vehicle means a motor vehicle or combination of motor vehicles which is designed or used to transport passengers or property and which:

- has a gross combination weight rating of 26,001 or more pounds inclusive of a towed unit with a gross vehicle weight rating of more than 10,000 pounds; or
- has a gross vehicle weight rating of 26,001 or more pounds;
- or
- is designed to transport 16 or more passengers, including the driver;
- or

is of any size and is used in the transportation of materials found to be hazardous for the purposes of the Hazardous Materials Transportation Act (49 U.S.C. 5103(b)) and which requires the motor vehicle to be placarded under the Hazardous Materials Regulations (49 C.F.R. part 172, subpart F).

Designated employer representative (DER) means an employee authorized by the Unified Government to receive communications and test results from service agents as those individuals or entities are defined in part 40 and who is authorized to take immediate action to remove employees or to cause employees to be removed from safety-sensitive duties and to make required decisions in the testing and evaluation processes. The names of the DERs are set out in Appendix B.

Drug means a controlled substance, specifically one of the substances identified in Section 40.85 of Title 49 of the Code of Federal Regulations (CFR) as it may be amended from time to time, unless the word “drug” is modified by either the word “legal,” “prescription,” or “prescribed” or

unless it is clear from the context that the word “drug” means substances which may be lawfully possessed without a medical prescription.

Drug test means analysis of a sample of urine or oral fluid to identify the presence of the drugs listed in Section VI.A.2. or their metabolites.

Employee means any person appointed to a position at the Unified Government, whether on a temporary, probationary, regular, full-time, or part-time basis.

Employee Assistance Program (EAP) means the Unified Government-offered counseling program that provides assessment, short-term counseling, and referral services to employees for a wide range of drug, alcohol, and mental health problems and which monitors the progress of employees while in treatment.

Human Resources Director means the director of the Unified Government’s Human Resources Department or his or her designated representative.

Licensed medical practitioner means a person who is licensed, certified, and/or registered in accordance with applicable Federal, State, local, or foreign laws and regulations to prescribe controlled substances.

Medical Review Officer (MRO) means the licensed physician who is responsible for reviewing and receiving laboratory results generated under this policy and evaluating medical explanations for certain drug test results.

Pass a drug test or pass an alcohol test means that the results of a drug or alcohol test, as applicable, administered under this policy:

1. Showed no evidence or insufficient evidence of a prohibited drug or drug metabolite or alcohol concentration; or
2. Showed evidence of a prohibited drug or drug metabolite ~~or alcohol concentration~~ but there was a legitimate medical explanation for the result; or
3. Were scientifically insufficient to warrant further action; ~~or~~
4. ~~Were suspect because of irregularities in the administration of the test or observation of chain of custody procedures.~~

Performing a safety sensitive function means any period in which the employee is actually performing, ready to perform, or immediately available to perform any safety sensitive functions.

Positive test result means a test result which reveals either: (1) the presence verified by a MRO of one or more prohibited drugs or their metabolites at or above the minimum levels specified in 49 CFR Part 40, and amendments thereto; or (2) an alcohol concentration of .02 or greater based on an alcohol confirmation test as described in 49 CFR Part 40, and amendments thereto DOT regulations only apply to .04 or greater; the UG under its independent authority is lowering the threshold amount.

Possess means to have either in or on the individual's person, personal effects, motor vehicle, or areas substantially entrusted to the control of the individual (e.g., an employee's personal locker).

Safety sensitive function means any of the following activities:

1. Operation of a Transit Department vehicle, whether or not the vehicle is in service;
2. Operation of a commercial motor vehicle which requires operators to have commercial driver's license (CDL);
3. Controlling the dispatch or movement of a Transit Department vehicle;
4. Maintenance (including repairs, overhaul, and rebuilding) of Transit Department vehicles or equipment; or
5. First line supervision of any Transit Department employee who performs a safety sensitive function on a regular basis. First line supervisors who would not otherwise be subject to testing under DOT guidelines will be tested under UG authority, and are not subject to DOT processes or consequences. #5—UG not FTA required

Safety sensitive position means a position that requires performance of any of the safety sensitive functions listed above even on an infrequent or occasional basis. A list of safety sensitive positions is contained in Appendix A.

Substance abuse professional or SAP means a person who evaluates employees who have violated a DOT drug and alcohol regulation and makes recommendations concerning education, treatment, follow-up testing, and aftercare. SAP, in this policy, is also used to refer to a substance abuse specialist~~means a person who evaluates employees who have violated a DOT drug and alcohol regulation or this policy and makes recommendations concerning education,~~

treatment, follow-up testing, and aftercare. The SAP or SAPs approved by the Unified Government are listed in Appendix C.

Substance abuse specialist means a person who evaluates employees who are not DOT-regulated and who have violated a Unified Government drug and alcohol policy and makes recommendations concerning education, treatment, follow-up testing, and aftercare. A substance abuse specialist may also be an SAP.

V. Prohibited Activities

The following activities are prohibited for all employees subject to this policy.

A. Alcohol

1. *Alcohol Possession.* No employee shall be on duty or perform ~~work~~ duties ~~safety-sensitive functions~~ while the employee possesses alcohol. If a supervisor has actual knowledge that an employee possesses alcohol, the supervisor shall not permit the employee to perform or continue to perform ~~work~~ duties ~~safety-sensitive functions~~. *[UG not FTA required]*
2. *On-Duty Use.*
 - a. No employee shall consume alcohol while performing ~~work~~ duties ~~safety-sensitive functions~~. If a supervisor has actual knowledge that an employee is using alcohol while performing ~~work~~ duties ~~safety-sensitive functions~~, the supervisor shall not permit the employee to perform or continue to perform ~~work~~ duties ~~safety-sensitive functions~~.
 - b. FTA regulations prohibit the performance of safety-sensitive functions while having an alcohol concentration of 0.04 or greater. The UG, under its independent authority, lowers the threshold amount to .02 and prohibits No-employee-shall reporting for duty or remaining on duty while having an alcohol concentration of .02 or greater. Per UG this-transit's rule, if a supervisor has actual knowledge that an employee has an alcohol concentration of .02 or greater, the supervisor shall not permit the employee to perform or continue to perform any work duties work duties safety-sensitive functions. [FTA regulations only apply to .04 or greater; the UG under its independent authority is lowering the threshold amount].

- c. FTA regulations state that Nno employee with an alcohol concentration of .02 or greater, but less than .04, shall perform a safety-sensitive function or continue to perform a safety-sensitive function until a subsequent test measures less than .02 or the start of the employee's next regularly scheduled duty period, but not less than eight hours following the administration of the test. The UG however, under its independent authority, considers a .02 or greater alcohol concentration a violation of UG policy; therefore, if a supervisor has actual knowledge that an employee has an alcohol concentration of .02 or greater, the supervisor shall not permit the employee to perform or continue to perform any safety sensitive function ~~UG, not FTA, required~~.
3. *On-Call Use.*
 - a. No employee shall use alcohol while on call.
 - b. Any time an employee is called to report for duty and the employee has used alcohol within four hours of the call, the employee must turn down the work. A supervisor shall give an employee the opportunity to acknowledge the use of alcohol at the time he or she is called to report to duty and the inability to perform his or her safety sensitive function.
 - c. If the employee acknowledges the use of alcohol but claims ability to perform his or her safety sensitive function, the employee must take an alcohol test.
 4. *Pre-Duty Use.* No employee shall perform safety sensitive functions within four hours after using alcohol. ~~If a supervisor has actual knowledge that an employee has used alcohol within four hours, the supervisor shall not permit an employee to perform or continue to perform safety sensitive functions.~~
 5. *Use Following an Accident.* No employee required to take a post-accident alcohol test shall use alcohol for eight hours following the accident, or until he or she undergoes a post-accident alcohol test, whichever occurs first.

B. Drugs

1. *Positive Test.* No employee shall report for safety-sensitive duty, remain on safety-sensitive duty, or perform ~~work duties~~safety-sensitive functions if the employee has a positive test result for drugs or has adulterated or substituted a test specimen. If a supervisor has actual knowledge that an employee has a positive test result for drugs or has adulterated or substituted a test specimen, the supervisor shall not permit the employee to perform or continue to perform ~~work duties~~safety-sensitive functions.
2. *On-Duty and Pre-Duty Use.* No employee shall report for duty or remain on duty when the employee uses any drug, except when the use is pursuant to the instructions of a licensed medical practitioner who has advised the employee that the substance will not adversely affect the employee's ability to safely operate a commercial motor vehicle or perform other safety sensitive functions. If a supervisor has actual knowledge that an employee has used a drug in violation of this policy, the supervisor shall not permit the employee to perform or continue to perform ~~work~~ dutiessafety-sensitive functions. *[UG's rule is broader than FTA regs which prohibit only the use of the five tested drugs]*
3. *Drug Possession.* No employee shall possess drugs while the employee is on duty, except for those drugs which have been prescribed for the employee by a licensed medical practitioner and except for those drugs which may be lawfully possessed without a medical prescription. *[not FTA required but is required by the Drug Free Workplace Act]*
4. *Legal Drugs [UG not FTA required]*
 - a. The UG does not prohibit an employee's use of prescription drugs pursuant to the instructions of a licensed medical practitioner or non-prescription drugs (including cough syrup) when used by the individual to whom the medication was prescribed and according to directions for the purpose manufactured. It is the employee's responsibility to remain fit for duty and avoid impairment.
 - b. Employees shall not work if their ability to perform their duties in a safe manner is impaired by the use of prescription or over-the-counter drugs.

C. Refusal to Submit to Test

1. ~~1.~~ No employee shall refuse to submit to an alcohol or drug test required under this policy. A supervisor shall not permit an employee who refuses to submit to a test to perform or continue to perform ~~work duties~~~~safety-sensitive functions~~. However, an employee may request to consult with union representatives

~~1.~~ as long as it does not delay the testing process more than one hour.
~~Employees tested under DOT authority may request to consult with union representatives, however testing may not be delayed for any reason. [The last sentence is not FTA required.]~~

2. The following behaviors constitute a test refusal for all testing categories ~~except pre-employment~~:
 - a. ~~Failure to appear for~~ Failure to appear for any test (except pre-employment) within a reasonable time, after being directed to do so by the UG ~~a test within a reasonable time.~~
 - b. ~~Failure to remain at the testing site until the testing process is complete. Except, that an applicant or employee who leaves the collection site before a pre-employment testing process commences is not deemed to have refused to test~~ Failure to remain at the testing site until the testing process is complete.
 - c. ~~Failure to provide a specimen for any drug test or an adequate amount of breath or saliva for any alcohol test required by this policy. Except, that an applicant or employee who does not provide a specimen for a drug test because they leave the collection site before a pre-employment testing process commences is not deemed to have refused to test.~~ Failure to attempt to provide a urine specimen for any drug test or an adequate amount of breath or saliva for any alcohol test required by this policy.
 - d. In the case of a directly observed or monitored collection in a drug test, failure to permit the observation or monitoring of provision of a specimen.
 - e. Failure to provide a sufficient amount of ~~urine specimen~~ when directed and it has been determined through a required medical evaluation that there was no adequate medical explanation for the failure.
 - f. Failure to take an additional drug test directed by the Unified Government or the collector.
 - g. Failure to undergo a medical examination or evaluation as directed by the MRO as part of the verification process or as directed by the Unified Government. UG pre-employment testing is only conducted after a Conditional Offer of Employment.

- h. Failure to cooperate with any part of the testing process.
 - i. If the MRO reports that the employee has a verified adulterated or substituted test result.
 - j. Failure to provide a sufficient breath specimen and it has been determined through a required medical evaluation that there was no adequate medical explanation for the failure.
 - k. Failure to undergo a medical examination or evaluation as directed by the Unified Government as part of the insufficient breath procedures in 49 CFR Part 40.
 - l. Refusal to sign Step 2 of the Alcohol Testing Form as prescribed by 49 CFR Part 40.
 - m. Failure to cooperate with any part of the testing process (e.g., refusing to empty pockets when so directed by the collector, behaving in a confrontational way that disrupts the collection process).
 - n. Admitting to the adulteration or substitution of a specimen to the collector or MRO.
 - o. Failure to follow an observer's instructions to raise and lower clothing and turn around during a directly-observed urine test.
 - p. Possessing or wearing a prosthetic or other device used to tamper with the collection process.
3. When an employee refuses to submit to a drug or alcohol test, the procedures outlined in 49 CFR Part 40 will be followed.

D. Obstruction of Testing Process

No employee shall cause or attempt to cause the alteration of a test sample, submit or attempt to submit a false test sample, or otherwise obstruct the testing process.

VI. Testing in General

A. Substances To Be Tested For

1. Alcohol

1-a. The Unified Government may test for the presence of alcohol.

2. Drugs

2-a. When a drug test is required under this policy, a test will be given to detect the following drugs:

- a.i amphetamine/methamphetamine (e.g., speed, crystal);
 - b.ii cocaine;
 - e.iii opioids (e.g., codeine, heroin, morphine, hydromorphone, hydrocodone, oxymorphone, and oxycodone);
 - d.iv phencyclidine (PCP);
 - v THC/marijuana.
- e.b. Consumption of these products is prohibited at all times.

B. Prohibited Amounts

An employee with a positive test result of a drug or alcohol test administered under this policy is in violation of the policy and subject to discipline.

C. Procedures

1. Employees required to take a test must present themselves at a location designated by the Unified Government.
2. All tests under this policy will be conducted in accordance with the procedures set out in 49 CFR Part 40, as it may be amended. The current version of Part 40 is available for review by employees upon request from the Human Resources Department.
3. The procedures utilized under this policy protect the employee and the integrity of the drug and alcohol testing process, safeguard the validity of the test results, and ensure the test results are attributed to the correct employee.
4. Before performing a drug or alcohol test required by 49 CFR Part 655, the Unified Government will notify employees that the test is required by such regulations.
5. -The Unified Government will notify an employee of drug test the results of random, reasonable suspicion, and post-accident tests for drugs if the results are verified positive or a refusal. The Unified Government will also inform the employee which drug or drugs were verified as positive.
6. If the MRO is unable to contact an employee, the DER will make reasonable efforts to contact each employee whom the MRO has

attempted to contact and request the employee to contact and discuss the results of the drug test with the MRO.

4.

D. Request for Retest

1. An employee who has a positive drug test result may request that the original split sample be analyzed again.
2. When an employee is notified by the MRO that he or she has a positive drug test or refusal to test because of adulteration or substitution, the applicant or employee has 72 hours from the time of notification to request a test of the split specimen. The request must be made to the MRO. The request may be verbal or in writing.
3. If the employee does not request a test of the split specimen within 72 hours, the employee may present to the MRO information documenting that serious injury, illness, lack of actual notice of the verified test result, inability to contact the MRO (e.g., there was no one in the MRO's office and the answering machine was not working), or other circumstances unavoidably prevented the employee from making a timely response. If the MRO concludes that there was a legitimate reason for the employee's failure to contact the MRO within 72 hours, the MRO will direct the test of the split specimen.
4. Retesting under this section shall be at the expense of the employee if the retest has a positive test result. If the Unified Government has advanced payment, the employee shall reimburse the Unified Government. If the retest has a negative test result, the Unified Government will pay for the retesting cost. *[UG not FTA required]*

E. Use of Results

The results of a drug or alcohol test may be considered in processing an adverse personnel action against an employee and may be used for other administrative purposes. However, results of an initial test for drugs or a screening test for alcohol are not conveyed to the Unified Government by the MRO or the laboratory or the Breath Alcohol Technician and so are not used as a basis for an adverse personnel action or administrative action.

VII. Types of Testing

A. Pre-employment/Post Offer Testing

1. The Unified Government will notify all applicants for positions covered by this policy that they are required to submit to a drug test if the Unified Government offers them employment. An offer of employment will be conditioned upon the applicant passing a drug test.
2. The Unified Government will notify current employees who are applicants for positions covered by this policy that they are required to submit to a drug tests if such a position is offered to them. Any offer of employment to a current employee of a position covered by this policy will be conditioned upon the employee passing a drug test.
3. ~~No applicant or employee will be permitted to perform a safety-sensitive function for the Unified Government until a pre-employment drug test returns a verified negative result. No employee will be permitted to perform a safety sensitive function for the Unified Government before completing the testing required by this section.~~
4. The Unified Government will give current employees who apply for safety sensitive positions 24 hours notice before any drug test is given under this section.
5. Every vacancy announcement for safety sensitive positions will state:

"All applicants for this position who do not presently hold a safety sensitive position with the Unified Government will be required to submit to a drug test after successful bid and before actual appointment."
6. Failure to give any notices does not preclude applicant testing.
7. When an applicant has previously failed or refused a pre-employment drug test administered under 49 CFR Part 655, the applicant must provide proof of having successfully completed a referral, evaluation, and treatment plan as described in 49 CFR Part 40.
8. When an employee has not performed a safety sensitive function for 90 consecutive calendar days regardless of the reason, and the employee has not been in the random testing pool during that time, the employee must take and pass a pre-employment drug test.

9. Any drug test that is cancelled must be made up and the offer of employment will be conditioned upon the applicant passing the drug test.

B. Post-Accident Testing

1. Following an accident while on duty or operating a Unified Government vehicle, alcohol and drug tests will be administered to each surviving employee:
 - a. In the case of an accident involving the loss of human life—
 - (1) An employee who was operating a mass transit vehicle involved in the accident; or
 - (2) An employee whose conduct could have contributed to the accident, as determined by the Department Head or his or her designee using the best information available at the time of the decision.
 - b. In the case of all other accidents (no fatalities), where an individual suffers bodily injury and immediately receives medical treatment away from the scene of the accident, or one or more vehicles (including non-FTA funded vehicles) incurs disabling damage as the result of the occurrence —
 - (1) An employee who was operating a mass transit vehicle involved in the accident, unless the Department Head or his or her designee determines, using the best information available at the time of the decision, that the employee's performance can be completely discounted as a contributing factor to the accident; or
 - (2) Whose performance could have contributed to the accident, as determined by the Department Head or his or her designee, using the best information available at the time of the decision.
2. ***Timing of tests.*** The drug and alcohol testing shall be administered as soon as practicable following the accident.

- a. *Alcohol tests.* If an alcohol test required by this section is not administered within two hours following the accident, the supervisor shall file a record stating the reasons the alcohol test was not promptly administered. If an alcohol test required by this section is not administered within eight hours, attempts to administer such test shall cease, and the supervisor shall state in the record the reasons.
- b. *Drug tests.* If a drug test required by this section is not administered within 32 hours following the accident, attempts to administer such test shall cease, and the supervisor shall file a record stating the reasons the test was not promptly administered.
3. The supervisor or other Unified Government representative shall take all reasonable steps to obtain drug and alcohol tests of the employee, but any injury should be treated first. *~~UG not FTA required~~*
 - a. ~~If an employee is injured and unable to consent to the test or unconscious, Unified Government personnel are prohibited from attempting to collect a specimen. In the case of a conscious but hospitalized employee, the supervisor must notify the hospital of the need for a sample.~~
 - b. If the employee gives his or her consent, Unified Government personnel must direct the medical facility to send the sample to the laboratory for testing. Unified Government personnel must ask the treating physician to determine whether the employee is able to understand a request to provide a sample.
 - c. If an employee is conscious and able to understand a request for a sample and refuses to be tested, the employee will be suspended without pay pending further review.
4. The decision not to administer a drug and/or alcohol test under this section shall be based on a determination by the Department Head or his or her designee, using the best available information at the time of the determination that the employee's performance could not have contributed to the accident. Such a decision must be documented in detail, including the decision-making process used to reach the decision not to test.
5. An employee who is subject to post-accident testing must remain readily available for the testing or be deemed to have refused to submit to testing. Nothing in this section requires the delay of necessary medical attention

for injured people following an accident or prohibits an employee from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident or to obtain necessary emergency medical care.

6. Following an accident, the employee must notify his or her supervisor. ~~If~~ a drug test is required under this section, the supervisor must arrange for the employee to be taken immediately to an approved collection site for an alcohol test and a drug test. The employee will not be allowed to drive him- or herself. ***[UG not FTA required]***

7. After the collection of the sample, the supervisor must arrange for the employee to be transported to his or her home address. The employee will not be allowed to drive himself or herself. This section does not apply if an alcohol test is administered and the alcohol concentration is less than .02. ***[UG not FTA required]***

8. The results of a breath or blood test for the use of alcohol or a urine test for the use of drugs, conducted by federal, state, or local officials having independent authority for the test, shall meet the requirements of this section, if the tests conform to applicable federal, state, or local requirements and if the results of the tests are obtained by the Unified Government. Such test results may be used only when the Unified Government is unable to perform a post-accident test within the required periods noted in this section.

9. The Unified Government will provide employees subject to this policy with necessary post-accident information, procedures, and instructions, prior to the employee performing a safety sensitive function, so that the employee will be able to comply with the requirements of this section. ***[UG not FTA required]***

C. Random Testing

1. Unannounced random drug and alcohol tests will be administered to employees in positions subject to this policy.

2. The Human Resources Director will administer the random testing, in which an employee will be selected for drug and alcohol testing on a random basis by using a computer-based random number generator that is matched with an employee's employee identification number.

3. The tests will be unannounced and the testing dates will be spread reasonably throughout the calendar year. Random testing will be conducted at all times of day when safety sensitive functions are performed.
4. Each employee in a position covered by this policy will be in the pool from which random selection is made. Each employee in the pool has an equal chance of selection and will remain in the pool, even after the employee has been tested.
5. Employees will be notified they have been selected for testing only after they have reported for duty on the day of collection and are on the job, and the Unified Government will transport the employees to the collection site immediately. If the employee is performing a safety sensitive function at the time of the notification, the employee will cease to perform such function and wait to be transported to the collection site.
6. Employees may be randomly tested for prohibited drug use at any time while on duty.
- 6.7. Employees will only be random tested for alcohol while they are performing safety sensitive functions, just before they are to perform safety sensitive functions, or just after they have ceased performing such functions.
- 7.8. The Unified Government will require random drug and alcohol testing at rates that meet or exceed the minimum annual percentage rates published in the Federal Register and posted online at <https://www.transportation.gov/odapc/random-testing-rates>.
- 8.9. A separate pool will be maintained for employees covered by regulations issued by the Federal Transit Administration.

D. Reasonable Suspicion Testing

1. The Unified Government requires an employee to submit to a drug or alcohol test, or both, when there is reasonable suspicion to believe the employee has used alcohol or drugs in violation of this policy.
2. In deciding whether there is reasonable suspicion to believe the employee has used alcohol or drugs in violation of this policy, the supervisor must base his or her conclusion on specific, contemporaneous, articulable

observations concerning the appearance, behavior, speech, or body odors of the employee.

3. The required observations for reasonable suspicion testing shall be made by a supervisor or Unified Government official who is trained in detecting the signs and symptoms of drug use and alcohol misuse. The person who makes the determination that reasonable suspicion exists to conduct an alcohol test shall not conduct the alcohol test.
4. Alcohol testing will be performed only if the observations required by paragraph 2 of this section are made during, just preceding, or just after the period of the workday that the employee is required to be in compliance with this policy. Alcohol testing under this section will be performed only while the employee is performing safety sensitive functions, just before the employee is to perform safety sensitive functions, or just after the employee has ceased performing such functions.
5. Once the supervisor has decided there is reasonable suspicion under this section, the employee must be taken immediately to an approved collection site to obtain a breath or urine sample. ***[UG not FTA required]***
6. The employee may request union representation ***as long as the testing is not delayed more than one hour. [UG not FTA required]***
7. If an alcohol test required by this section is not administered within two hours following the supervisor's determination of reasonable suspicion, the supervisor shall file a record stating the reasons the alcohol test was not promptly administered. If an alcohol test required by this section is not administered within eight hours, attempts to administer such test shall cease and the supervisor shall state in the record the reasons.
8. If a supervisor makes a determination of reasonable suspicion that an employee is under the influence of or impaired by alcohol under this section, the employee in question must be immediately removed from performing a safety sensitive function. ***[UG not FTA required but implied by 655.46]***
9. Except as provided in the preceding paragraph b, the Unified Government will take no action against an employee with respect to alcohol use based solely on the employee's behavior and appearance, in the absence of an alcohol test. ***[UG not FTA required]***

10. The supervisor shall document the incident, including a written record of the observations leading to an alcohol or drug reasonable suspicion test, signed by the supervisor or Unified Government official who made the observations, within 24 hours of the observed behavior or before the results of the tests are released, whichever is earlier. ***[UG not FTA required]***
11. After the collection of the sample, the employee will be transported to his or her home address. The employee will not be allowed to drive himself or herself. This section does not apply if an alcohol test is administered and the result is less than .02. ***[UG not FTA required]***

E. Return to Duty Testing

1. When an employee refuses to submit to a drug or alcohol test, has a positive test result for drugs or alcohol, or has violated any prohibition on the use of alcohol or drugs under the FTA regulations or this policy, if an employee is otherwise eligible to return to duty under this policy and other Unified Government rules, before the employee will be permitted to return to duty and to perform safety sensitive functions, the employee shall:
 - a. Receive an evaluation by a substance abuse professional (SAP);
 - b. Successfully comply with any education and/or treatment prescribed by the SAP; and
 - c. Take and pass a return to duty alcohol or drug test or both as determined by the SAP. All specimen collection for a return to duty test must be conducted under direct observation.
2. ~~The Unified Government will provide to each employee identified under paragraph 1 of this section the name, address, and telephone number of the EAP, which will provide a list of DOT qualified SAPs (or substance abuse specialists for non-DOT violations). The employee must choose an SAP from this list because this is the only SAP acceptable to the Unified Government. The Unified Government will provide to each employee identified under paragraph 1 of this section the name, address, and telephone number of the EAP which is the only SAP acceptable to the Unified Government, and which is DOT-qualified.~~
3. ~~When an employee in a position covered by this policy has not performed a safety sensitive function for 90 consecutive calendar days regardless of the reason, and the employee has not been in the random selection pool~~

~~covered by this policy during that time, the employee must pass a drug test.~~

- ~~4. All return to duty tests administered under FTA authority will be conducted under direct observation and in accordance with 49 CFR Part 40, Subpart O. ~~All tests will be conducted under direct observation and in accordance with 49 CFR Part 40, Subpart O.~~~~

F. Follow Up Testing

1. For each employee who has committed a violation of this policy and who is otherwise eligible to return to duty and who seeks to resume the performance of safety sensitive functions, after the SAP has determined that the employee has successfully complied with the SAP's recommendations for education and/or treatment and after the employee has passed the required return to duty tests, the SAP will establish a written follow-up testing plan and will share the plan with the Unified Government.
2. The SAP is the sole determiner of the number and frequency of follow-up tests and whether these tests will be for drugs, alcohol, or both, unless otherwise directed by the ~~FMCSA-FTA~~ regulations.
3. At a minimum the employee will be subject to six unannounced follow-up tests in the first twelve months of safety sensitive duty following the employee's return to safety sensitive functions. The SAP may require a greater number of follow-up tests during the first 12-month period of safety sensitive duty. The SAP may also require follow-up tests during the 48 months of safety sensitive duty following the first 12-month period.
4. The Unified Government will make the decision on specific dates on which to conduct the tests prescribed by the SAP. The Unified Government will not impose more testing requirements than are contained in the SAP's follow-up testing plan.
5. The employee will not be permitted to perform safety sensitive functions unless follow-up testing is conducted as directed by the SAP.
6. Follow-up alcohol testing is only permissible just before, during, or just after performance of safety sensitive functions.
7. The follow-up tests will be unannounced, and the employee will not be given advance notice of such tests.

8. ~~All specimen collection for follow-up tests administered under FTA authority must be conducted under direct observation. All specimen collection for follow-up tests must be conducted under direct observation. The UG, under its independent authority, does not conduct directly observed tests for non-DOT violations.~~
9. Follow-up testing is separate from and in addition to random testing under this policy. Employees subject to follow-up testing will remain in the random testing pool, but a random test will not be substituted for a follow-up test.
10. A cancelled follow-up test will not be counted as a completed test. A cancelled follow-up test must be recollected.
11. All tests will be conducted in accordance with 49 CFR Part 40, Subpart O.

G. Dilute Urine Specimen

If there is a negative dilute test result, the Unified Government will accept the test result and there will be no retest, unless the creatinine concentration of a negative dilute specimen was greater than or equal to 2 mg/dL, but less than or equal to 5 mg/dL.

H. Split Specimen Test

In the event of a verified positive test result, or a verified adulterated or substituted result, the employee can request that the split specimen be tested at a second laboratory. The Unified Government guarantees that the split specimen test will be conducted in a timely fashion. The Unified Government will pay for the split specimen test; except that the Unified Government will seek reimbursement from the employee if the split specimen test yields a verified positive test result, or a verified adulterated or substituted result.

VIII. Consequences of a Confirmed Positive Test Result or Refusal to Take a Drug or Alcohol Test

A. Applicants

1. ***Non-Employees***

The Unified Government will withdraw the offer of employment and will not hire the applicant if a drug test result indicates a positive test result or if the applicant refuses to consent to a drug test. Applicants will be informed in writing if they are rejected on the basis of a positive test result. The Unified Government will provide the applicant with a referral to ~~a~~ substance abuse professional~~s~~.

2. ***Employees Seeking Safety Sensitive Positions***

The Unified Government will withdraw the offer of a safety sensitive position to a current employee if the employee has a positive test result for drugs or if the employee refuses to consent to a drug test. Employees will be informed in writing if they are rejected on the basis of a positive test result. See Subsection B for other consequences of a positive test result for a current employee.

3. ***Previously Failed or Refused***

An applicant or employee seeking a safety sensitive position who has previously failed or refused a DOT pre-employment drug and/or alcohol test (~~above~~.04 BAC, ~~or above~~) must provide proof of having successfully completed a referral, evaluation, and treatment plan meeting DOT requirements.

B. Employees

1. ***In General***

Compliance with this policy is a condition of employment. Refusal to take a required drug or alcohol test or failure to pass a drug or alcohol test is just cause for discipline including discharge.

2. ***Removal from Safety Sensitive Functions***

~~a.~~—An employee who is tested under this policy and has an alcohol concentration of .04 or greater or who has a positive test result for drugs or who refuses to take a test shall be immediately removed from performing safety sensitive functions ~~and will be referred to a SAP~~. If the Unified Government determines that the employee may otherwise return to duty, the employee may not perform any safety sensitive function until the employee has met all the

requirements of 49 CFR Part 40 for returning to duty and this policy, including referral to and evaluation by the SAP, completion of any treatment ordered by the SAP, passing return to duty tests, and entry into a return to work agreement. ***[The return to work agreement is UG not FTA required]*** An employee cannot enter into a second or subsequent return to work agreement once receiving an additional verified positive test result or refusing to take a test.

b-1. An employee who is tested under this policy and has an alcohol concentration of .02 or greater but less than .04 shall be immediately removed from performing safety sensitive functions. If the Unified Government determines that the employee may return to duty, the employee may not perform any safety sensitive functions until another test shows the employee has an alcohol concentration of less than .02; or until the start of the employee's next regularly scheduled duty period, but not less than eight hours following administration of the test.

3. Discipline

All discipline under this policy is adopted by the Unified Government under its independent authority and is not mandated by the FTA.

- a.*** An employee who is tested under this policy and has an alcohol test result of .02 or more or who refuses to take an alcohol test or who otherwise violates the provisions of this policy is subject to discipline including discharge. ***[UG not FTA authority if discipline is imposed based on alcohol test results between .02 and .04]***
- b.*** An employee who is tested under the provisions of this policy and who has a positive test result for drugs or refuses to take a drug test or who otherwise violates the provisions of this policy is subject to discipline including discharge.
- c.*** If an employee who has a positive test result is not terminated, the employee may be placed on probation for a period of up to 60 months, depending on the length of time recommended by the SAP for follow-up testing. If the employee violates any provisions of this policy or any other applicable provision of the Human Resources Guide or applicable bargaining agreement during the probationary period, the employee may be terminated, except as provided in the following subsection B.4.

- d.* Action to discipline an employee must be taken in accordance with the Human Resources Guide or applicable bargaining agreement.
- e.* Any suspension from duty resulting from a violation of this policy is without pay, except that an employee who has undergone reasonable suspicion testing for drugs will be suspended with pay until the Unified Government receives the drug test result.

4. Referral, Evaluation, Treatment, and Retention of Employment

- a.* The Unified Government will advise each employee known to have engaged in conduct prohibited by this policy of the names, addresses, and telephone numbers of substance abuse professionals acceptable to the Unified Government.
- b.* (1) This policy dictates that certain employees who violate the policy must be evaluated by a substance abuse professional who will determine what education and/or treatment, ~~if any~~, the employee needs in resolving problems associated with alcohol misuse and drug use.

(2) If their employment is not terminated, those employees who have a positive test result for either drugs or alcohol or refuse to submit to a test (including by adulterating or substituting a urine specimen) must be evaluated by a SAP.
- c.* Following a violation of this policy and a return to duty, the employee will be on probation for at least 24 months and, if the SAP recommends a longer period of time for follow-up testing, will be on probation for the period of follow-up testing, up to 60 months. **[UG not FTA required]**
- d.* After any violation of this policy, if an employee is not terminated, the employee will retain his or her employment only if the employee fulfills all of the following requirements:
 - (1) Successfully complies with the SAP's evaluation recommendations for education and/or treatment as determined by the SAP;
 - (2) Passes all drug and alcohol return-to-duty and follow-up tests required by the SAP's testing plan;

- (3) Enters into a return to work agreement; and ***[UG not FTA required]***
- (4) Does not commit any other violations of this policy or of the return to work agreement. ***[UG not FTA required]***
- e. During the probationary period following return to duty, an employee who voluntarily admits a relapse of a substance abuse problem prior to being notified to report for testing may be given another opportunity for rehabilitation if the conditions set out in subsection d. of this section are met. A modified return to work agreement will be required, and the employee will be subject to a new 24-month period or longer of non-federal follow up testing on non-DOT forms as determined by the substance abuse counselor. ***[UG not FTA required]***
- f. Employees on probation must adhere to all other Human Resources Guide provisions. Nothing in this policy or in a return to work agreement shall preclude termination of an employee for a violation of the HR Guide. ***[UG not FTA required]***
- g. An employee who has violated this policy and has retained his or her employment under the provisions of this section VIII.B.4. who again violates this policy is subject to immediate termination. ***[UG not FTA required]***
- h. The decision to retain an employee who has completed a rehabilitation program and has returned to work and thereafter requests to enter a rehabilitation program again rests solely within the discretion of the County Administrator. ***[UG not FTA required]***
- i. Employees should attempt to schedule SAP- or substance abuse counselor-prescribed education and treatment sessions outside of normal work hours whenever possible. However, employees will be allowed to use their sick leave or vacation leave while participating in SAP- or substance abuse counselor-prescribed programs during normal working hours. ***[UG not FTA required]***
- j. Employees are responsible for the cost of SAP- or substance abuse counselor-prescribed education and treatment. An employee is not prohibited from using the Unified Government Employee Health

Benefit Plan to pay for such education and treatment, but whether it is a covered benefit under the Plan depends on the terms and conditions of the Plan. Any drug or alcohol tests ordered by the SAP, or non-federal drug or alcohol tests on non-DOT forms ordered by the substance abuse counselor, prior to an employee's return to duty must be paid for by the employee. ***[UG not FTA required]***

- k.*** If the Unified Government receives a recommendation from the SAP or substance abuse counselor that ongoing services (in addition to follow-up tests are needed to assist an employee to maintain sobriety or abstinence from drug use after the employee resumes the performance of safety sensitive duties, the UG, as part of a return to work agreement with the employee, may require the employee to participate in the recommended services. The UG may monitor and document the employee's participation in the recommended services. The employee is obligated to comply with the SAP's or substance abuse counselor's recommendations for these services. If the employee fails or refuses to do so, he or she may be subject to disciplinary action. ***[UG not FTA required]***

l. Voluntary Self-Identification [UG not FTA required]

- (1) An employee who voluntarily identifies himself or herself as a user of illegal drugs or an abuser of legal drugs or alcohol, before being identified through other means, will be considered a candidate for retention of employment, provided he or she first:

 - (a) Submits to an evaluation by a substance abuse counselor acceptable to the Unified Government;
 - (b) Successfully complies with the substance abuse counselor's evaluation recommendations for education and/or treatment as determined by the substance abuse counselor;
 - (c) Passes all non-federal drug and alcohol return-~~to duty~~ to duty and follow-up tests recorded on non-DOT forms that are required by the substance abuse counselor's testing plan;
 - (d) Enters into a return to work agreement; and

- (c) Thereafter refrains from violations of this policy or the return to work agreement.
- (2) This self-identification option is only available if:
 - (a) The employee does not self-identify in order to avoid testing under the requirements of this policy;
 - (b) The employee makes the admission of illegal drug use or alcohol or legal drug misuse prior to performing a safety-sensitive function (i.e., prior to reporting for duty); and
 - (c) The employee does not perform a safety-sensitive function until the employee successfully complies with the requirements of subsection *l.(1)* above.
- (3) The employee will only be permitted to return to performing safety-sensitive duties upon successful completion of the requirements of subsection *l.(1)* above.
- (4) The Unified Government will not take adverse action against an employee for voluntary self-identification under this section *l.* if the employee complies with all the requirements contained herein.

IX. Employee Assistance Program

The EAP plays an important role in preventing and resolving an employee's misuse of alcohol and use of drugs. Any employee found to be using illegal drugs or misusing alcohol or legal drugs may be referred to the EAP. The EAP, however, is available to all employees without regard to a finding of use of illegal drugs or misuse of alcohol or legal drugs. The EAP provides counseling and rehabilitation for all referrals as well as education and training regarding misuse of alcohol or drugs. The EAP is available not only to employees but, when feasible, to the families of employees with alcohol or drug problems and to employees with family members who have such problems.

Although employees are encouraged to receive help for drug or alcohol problems, participation in the EAP or any other rehabilitation program will not excuse an employee's failure to comply with the requirements of this policy or any other provision of the HR Guide.

X. Notification to Employees

- A. The Unified Government will provide the following materials to all employees covered by this policy:
 - 1. A copy of this policy;
 - 2. A copy of 49 CFR Part 40; *[UG not FTA required]*
 - 3. Information concerning the effects of alcohol and drug use on an individual's health, work, and personal life; signs and symptoms of an alcohol or drug problem (the employee's or a co-worker's); and available methods of intervening when an alcohol or a drug problem is suspected, including confrontation, referral to any employee assistance program, or referral to management.
- B. The Unified Government will provide written notice of the availability of the policy and associated materials to the employee bargaining unit representing such employees.
- C. Each employee shall sign a statement certifying he or she has received a copy of this policy and other materials required by this section. *[UG not FTA required]*

XI. Contact Person

- A. The identity of the persons designated by the Unified Government to answer employee questions about this policy and related materials is listed in Appendix B.
- B. The names, addresses, and telephone numbers of the MRO and of the EAP/SAP are listed in Appendix C. *[UG not FTA required]*

XII. Training of Employees and Supervisors

- A. All employees covered by this policy must receive at least 60 minutes of training on the effects and consequences of prohibited drug use on personal health, safety, and the work environment, and on the signs and symptoms that may indicate prohibited drug use.
- B. All supervisors of employees subject to this policy and all UG employees authorized to make reasonable suspicion determinations shall receive at least 60 minutes of training on alcohol misuse and at least an additional 60 minutes of

training on drug use, including the physical, behavioral, speech, and performance indicators of probable alcohol misuse and use of drugs.

XIII. Record Keeping and Confidentiality

- A. The Human Resources Department shall maintain the records of the Drug and Alcohol Awareness and Testing Program in a secure location with controlled access in accordance with federal regulations.
- B. The types of records to be maintained, their location, and their minimum period of retention shall be as prescribed by federal DOT regulations.
- C. Except as otherwise provided in this section XIII and federal law, no individual test results or medical information will be released to third parties without the employee's specific written consent.
 - 1. A "third party" is any person or organization to whom other parts of this policy or applicable federal regulations do not explicitly authorize or require the transmission of information in the course of the drug or alcohol testing process.
 - 2.. "Specific written consent" means a statement signed by the employee that he or she agrees to the release of a particular piece of information to a particular, explicitly identified, person or organization at a particular time. Blanket releases, in which an employee agrees to a release of a category of information (e.g., all test results) or to release information to a category of parties (e.g., other employers or companies to which the employee may apply for employment) are prohibited by federal regulation and will not be accepted by the Unified Government.
- D. Test results will be released without the employee's written consent in the following circumstances.
 - 1. In certain legal proceedings as follows:
 - a. These proceedings include a lawsuit, grievance, or administrative proceeding brought by, or on behalf of, an employee and resulting from a positive drug or alcohol test or a refusal to test (including but not limited to adulterated or substituted test results and including but not limited to a worker's compensation,

- unemployment compensation, or other proceeding relating to a benefit sought by the employee).
- b. These proceedings also include a criminal or civil action resulting from an employee's performance of safety sensitive duties in which a court of competent jurisdiction determines that the drug or alcohol test information sought is relevant to the case and issues an order directing the Unified Government to produce the information.
 - c. In such a proceeding, the Unified Government may release the information to the decisionmaker in the proceeding only with a binding stipulation that the decisionmaker to whom it is released will make it available only to parties to the proceeding.
 - d. The Unified Government will immediately notify the employee in writing of any information released under this section.
2. Upon the request of DOT agency representatives, the Unified Government will provide, among other things, all written, printed, and computer-based drug and alcohol program records and reports (including copies of name-specific records or reports).
 3. If requested by the National Transportation Safety Board as part of an accident investigation, the Unified Government will provide information concerning post-accident tests administered after the accident.
 4. If requested by a federal, state, or local safety agency with regulatory authority over the Unified Government or the employee, the Unified Government will provide drug and alcohol test records concerning the employee.
 5. The test results will be released to one of the Unified Government DERs, and the DER may release the results to those Unified Government personnel directly involved in the decision for the tested employee's discharge or disciplinary action and to the Unified Government Legal Department attorneys. ***[UG not FTA required]***
- E. An employee is entitled, upon written request, to obtain copies of any records relating to his or her use of drugs or alcohol, including any records pertaining to his or her drug or alcohol tests. The Unified Government shall promptly provide the records requested by the employee.

- F. Records will be made available to a subsequent employer upon receipt of a written request from the employee.
- G. The Unified Government will release information regarding an employee's records maintained under this policy as directed by the specific written consent of the employee authorizing release of the information to an identified person.

XIV. Search and Seizure

The Unified Government reserves the right to search for alcohol or illegal drugs, without employee consent, all areas and property in which the Unified Government maintains full control or joint control with the employee, which areas and property do not include personal vehicles, lockers, and personal items, such as but not limited to lunch boxes, purses, and briefcases. Supervisors shall notify their Department Head when they have reasonable suspicion that the employee has alcohol or illegal drugs in violation of this policy in his or her possession or in an area not jointly or fully controlled by the Unified Government. If the Department Head concurs that there is reasonable suspicion of alcohol or drug possession which violates this policy, the Department Head shall notify the Human Resources Director and the Legal Department. *[UG not FTA required]*
RELATED POLICY: 2.4 Drug-Free Workplace

RELATED FORM: Reasonable Suspicion Report Form

*Policy on Substance Abuse and Drug and Alcohol Testing—Transit
Adopted ~~06-08-07~~xx-xx-xx*

7.4A Substance Abuse

APPENDIX A – SAFETY SENSITIVE POSITIONS

~~DISPATCHER-I
DISPATCHER-II~~

GENERAL LABORER

TRANSIT OPERATOR

LEAD TRANSIT OPERATOR

OPERATIONS SUPERVISOR

~~OPERATIONS~~ GENERAL SUPERINTENDENT

Updated: 02-19-25
Effective: 06-08-07

APPENDIX B - : ———DESIGNATED EMPLOYER REPRESENTATIVE(S)

1. J. Renee Ramirez, Director
Unified Government Human Resources Dept.
~~701~~ 701 North 7th Street, Room 646
Kansas City, Kansas 66101
Ph. No. (913) 573-5660
Fax No. (913) 573-5684

2. Shakeva Christian, Human Resources Manager
~~2-~~ -Unified Government Human Resources Dept.
~~701~~ 701 North 7th Street, Room 646
Kansas City, Kansas 66101
Ph. No. (913) 573-5660
Fax No. (913) 573-5684

3. Dave Wimberly, ~~Safety Officer~~ Risk Manager
Unified Government Human Resources Dept.
701 North 7th Street, Room 646
Kansas City, Kansas 66101
Ph. No. (913) 573-5660
Fax No. (913) 573-5684

- 3.4. Erin Riley, Safety Coordinator
Unified Government Human Resources Dept.
~~701~~ 701 North 7th Street, Room 646
Kansas City, Kansas 66101
Ph. No. (913) 573-5660
Fax No. (913) 573-5684

Policy on Substance Abuse and Drug and Alcohol Testing—Transit
Adopted ~~06-08-07~~xx-xx-xx
(or their successors)

7.4A Substance Abuse

Effective: 06-08-07

33

APPENDIX C - ~~3~~ MEDICAL REVIEW OFFICER (MRO) AND
EMPLOYEE ASSISTANCE PROGRAM (EAP)

Dale Stegeman, MD
Dr. Maiko Ebersole Robinson, MD St. Louis MRO, Inc.
3895 Jeffco Boulevard
Arnold, MO 63010
(866) 785-6761
(Medical Review Officer)
The University of Kansas Occupational Health
4810 State Avenue
Kansas City, KS 66102

_____ Lucet
Employee Assistance Program

Policy on Substance Abuse and Drug and Alcohol Testing—Transit

Adopted 06-08-07 ~~Adopted xx-xx-xx~~

~~1-800-624-5544 or lucethealth.com New Directions
Behavioral Health (NDBH)~~

~~Employee Assistance Program
1-800-624-5544 or ndbh.com~~

(or their successors)

Adopted: xx-xx-xx

Updated: 2/19/25

Effective: 06-01-06

7.4A Substance Abuse

TRANSIT DRUG AND ALCOHOL POLICY CHANGES

July 9, 2025



AGENDA



Federal Transit Authority (FTA) Audit overview



Overview of Policy Changes



Questions

AUDIT TIMELINE



September
2024-

KCATA selected for
audit by Federal
Transit
Administration
UG selected as a
KCATA contractor



October 2024-

Audit conducted
Audit report
provided noting
required
corrections



November 2024-
current

Corrections made
following FTA
guidance
HRG 7.4A is the
final piece

AREAS AUDITED

UG Drug and
Alcohol Policy-
Transit (HRG
7.4A)

Drug and Alcohol
Program
Manager
Information

Records
Management
Information

Breath Alcohol
Technician-UG
vendor

Urine Collection-
UG vendor

AUDIT REPORT

Audit report identified what to correct

- Policy-11 items
- DAPM-12 items
- Records Management-6 items
- Breath Alcohol Technician-8 items
- Urine Collection-5 items

The BAT and Urine collection were performed by a vendor. Corrections were required to be submitted by the vendor.

Overview: most corrections were minor, many were wording changes, clarifying language, or minor process changes.

POLICY CHANGE OVERVIEW

11 categories of changes

General overview of the changes

- No major changes to policy
 - Notable changes:
 - Add oral fluid as a DOT-approved specimen
 - Remove references to blood as a specimen type
 - Most changes were clarifying language or modified language
 - Example of language that was changed
 - Modified language to identify a pre-employment test requires a verified negative result
 - Added clarifying language about providing a list of SAPs after a violation

FEDERAL TRANSIT AUTHORITY (FTA)

FTA has approved all submitted policy edits

Requirements of UG to close out FTA audit:

- Proof of policy acceptance
- “Clean” Policy-no redline
- Proof of policy distribution to employees

Deadline: 9/16/25





Report to Administration & Human Services

MEETING DATE	PRESENTER	DEPARTMENT
	<div data-bbox="583 384 1036 478" style="border: 1px solid black; padding: 5px;"> Shelley Kneuvean, Chief Financial Officer </div> skneuvean@wycokck.org x5849	Administrator's Office
AGENDA ITEM #4.2.		
RESOLUTION: GRANTS POLICY THRESHOLD AND ACCEPTANCE OF GRANTS		
BACKGROUND		
RECOMMENDATION		
Approve		
Approve revised grant application and acceptance policy		
BUDGET IMPACTS / FINANCIAL CONSIDERATIONS		
None - specific grants have budgetary impacts but the policy itself does not		
LEGAL/ POLICY CONSIDERATIONS		
Reviewed by legal		
ATTACHMENTS		
Grant Policy FINAL 5-6-25, DRAFT Reso approving grant policy		

Approved by Mayor/Administrator to add to agenda.



Unified Government of Wyandotte County
and Kansas City, Kansas

Commission Resolution:

R-__-__

Adopted: __/__/____

Grant Application and Acceptance Policy

I. Authority:

Under sections 2-56 and 2-81 of the Code of the Unified Government of Wyandotte County/Kansas City, Kansas (“the Code”) the Mayor and the Board of Commissioners are responsible for legislation, policy formulation, and overall direction setting of the government. This includes the approval of financial policies which establish and direct the operations of Unified Government (UG). Section 2-103 of the Code empowers the County Administrator to carry out the policy directives of the UG Board of Commissioners and manage the day-to-day operations of the executive departments, including the Finance Department. This policy shall be administered on behalf of the County Administrator by the Chief Financial Officer and the Grant Administrator.

II. Purpose:

The Unified Government is presented and seeks the opportunity to utilize grant funds to supplement and expand the core and discretionary operations and services it provides. This policy governs the grant application and acceptance process. To the extent practical, this policy follows the intent of the Budget Policy adopted by the Commission on ~~12/19/13~~ 12/10/15, or the most recent approved update, with approved dollar thresholds. In all circumstances, any necessary or required budget revision is subject to that Budget Policy.

III. Applicability and Scope:

This policy shall apply to all departments that are a part of the Unified Government.

IV. Policy:

For purposes of this policy, there are 3 categories of grants with differing controls as follows:

A. Grants ~~less than \$50,000 or less~~ which require matching or supplemental UG funds of less than \$10,000.

The Operating and Capital Budget Policy authorizes the County Administrator to manage Department expenditures of less than \$10,000. Grants in this category are subject to that policy and the application and acceptance of such grants require the approval of the County Administrator and do not require Mayor or Commission review or approval. Notice of such application and acceptance will be provided ~~as part of the Weekly Business Material~~ at the next scheduled meeting of the applicable standing committee.

B. Grants ~~less than \$50,000 or less~~ which require matching or supplemental UG funds greater than \$10,000 but less than the grant amount.

The Budget Policy authorizes the County Administrator to approve certain budget revisions from \$10,000 to \$50,000 subject to the approval of the Mayor, or Mayor pro-tem if the Mayor is absent.

- 1) If the department has identified the matching funds as part of their adopted budget, only County Administrator approval is required to apply for and accept the grant. Such applications will be reported at the next scheduled meeting of the applicable standing committee.
- 2) If the department did not budget for the matching funds as part of their adopted budget but they have identified funds, Grants in this category which are considered a core UG function or service subject to that policy and the application and acceptance of such grants require are within the authority of the approval of the County Administrator and subject to the approval of the Mayor, or Mayor pro-tem if the Mayor is absent. Such applications will be reported at the next scheduled meeting of the applicable standing committee.
- 3) ~~Grants in this category which are considered a discretionary function or service as determined by the Mayor, require Commission action. The application for such grants is subject to the approval of the appropriate Standing Committee and Commission. If approved by the Commission, the award and acceptance of the grant will be reported to the Standing Committee and notice will be provided to the Commission as part of the Weekly Business Material.~~

C. Grants greater than \$50,000 or which require matching or supplemental funds greater than \$50,000.

Prior to applying for and accepting any grant under this category, the application for such grants is subject to the identification of adequate funds for the match approved by the County Administrator and the approval of the appropriate standing committee and Commission.

If the grant is awarded, and notice will be provided to the Commission as part of the Weekly Business Material. an update on the grant will be provided to the Commission not less than once a year.

Grants with short notice period

Occasionally, grant opportunities under this category will be made available with a short amount of time to apply to be considered that would not allow for the normal approval process. In these cases, the County Administrator can permit the department to request the grant application be “fast tracked” for approval through the applicable standing committee and at the next regular Commission meeting.

D. Grants involving partners outside of the Unified Government

For any grant that requires identification of a community partner as part of the grant application, the respective department will work with the Purchasing Department to solicit interest on the part of outside agencies prior to selecting the proposed partner. The grant and proposed partner will require the approval of the County Administrator and the approval of the applicable standing committee and Commission prior to applying for and accepting the grant.

E. Entitlement Grants

As part of a routine course of action, the Unified Government receives entitlement grants from various state and federal agencies. These grants do not require applications but instead are awarded to the Unified Government to locally administer programs on behalf of the state or federal government. Examples include, but are not limited to, Community Development Block Grant funding from the Department of Housing and Urban Development and various Aging program funds from the Department of Health and Human Services.

These grants do not require application or formal acceptance by the Unified Government. However, an update on these grants will be provided to the Mayor and Commission not less than once a year.

F. Notification to Finance

In all cases, departments are required to notify the Finance Department of any application-based grants or entitlement grants prior to application and prior to spending to ensure proper accounting and reporting to the Mayor and Commission.

RESOLUTION NO. _____

**A RESOLUTION APPROVING THE GRANT APPLICATION AND
ACCEPTANCE POLICY OF THE UNIFIED GOVERNMENT OF
WYANDOTTE COUNTY/KANSAS CITY, KANSAS**

WHEREAS, budgetary and financial policies contain high-level principles and requirements that an organization must follow, as formally agreed upon by management and a governing body, in order to direct the strategic vision of an organization; and

WHEREAS, budgetary and financial policies inform organizational processes by providing insight into standard functions and key risk and control points needing monitoring; take into consideration risk assessments, mitigations, and audit efforts to achieve operational efficiencies; and help to shape strategic direction, so an organization can move to a mindset that recognizes cost and risk avoidance as a critical public policy discipline; and

WHEREAS, formal adoption of budgetary and financial policies by a governmental organization is a recommended practice of the International City Management Association (ICMA) and the Government Finance Officers Association (GFOA); and

WHEREAS, the Grant Application and Acceptance Policy of the Unified Government of Wyandotte County/Kansas City, Kansas supports the utilization of grants funds to supplement and expand the Unified Government's core and discretionary operations and the services it provides.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY AND KANSAS CITY, KANSAS:

Section 1. The Unified Government Board of Commissioners hereby adopts its Grant Application and Acceptance Policy.

Section 2. Further Action. The County Administrator and other officers, agents, and employees of the Unified Government are hereby authorized and directed to take such further action as may be appropriate or desirable to accomplish the purpose of this Resolution.

Section 3. Effective Date. This Resolution shall take effect and be in full force immediately after its adoption by the Governing Body of the Unified Government.

**APPROVED AND ADOPTED BY THE BOARD OF COMMISSIONERS
OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY AND KANSAS
CITY, KANSAS THIS ____ DAY OF _____, 2025.**

Tyrone Garner, Mayor/CEO

Attest:

Unified Government Clerk

Approved as to Form:



Report to Administration & Human Services

MEETING DATE	PRESENTER	DEPARTMENT
	<div style="border: 1px solid black; padding: 2px;">Wendy Green, Assistant Counsel</div> wmgreen@wycokck.org x5679	Legal
AGENDA ITEM #4.3.		
RESOLUTION: ESTABLISHING AN ANNUAL LOCAL PRIORITIES LEGISLATIVE PLAN		
BACKGROUND		
<p>The Unified Government of Wyandotte County/Kansas City, Kansas is committed to fostering efficient, transparent, and cost-effective governance for the benefit of its residents. The identification and elimination of inefficient, confusing, costly, or unnecessary processes, steps, or requirements within departmental operations can enhance the delivery of services to the community, and the health, safety, and welfare of the residents of Wyandotte County/Kansas City, Kansas are paramount and should be central to the legislative priorities of the Unified Government;</p>		
RECOMMENDATION		
Approve		
BUDGET IMPACTS / FINANCIAL CONSIDERATIONS		
None		
LEGAL/ POLICY CONSIDERATIONS		
This item is brought forward at the request of Commissioner Davis.		
ATTACHMENTS		
Local Priorities Plan Resolution 6.10.25, Local Priorities Plan		

Approved by Mayor/Administrator to add to agenda.

RESOLUTION NO. R-_____-25

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS TO ESTABLISH AN ANNUAL LOCAL PRIORITIES PLAN RECOMMENDATIONS TO IMPROVE EFFICIENCY, REDUCE COSTS, AND ENHANCE THE HEALTH, SAFETY, AND WELFARE OF THE COMMUNITY

WHEREAS, the Unified Government of Wyandotte County/Kansas City, Kansas is committed to fostering efficient, transparent, and cost-effective governance for the benefit of its residents; and

WHEREAS, the identification and elimination of inefficient, confusing, costly, or unnecessary processes, steps, or requirements within departmental operations can enhance the delivery of services to the community; and

WHEREAS, the health, safety, and welfare of the residents of Wyandotte County/Kansas City, Kansas are paramount and should be central to the legislative priorities of the Unified Government;

NOW, THEREFORE, BE IS RESOLVED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KS AS FOLLOWS:

Section 1. (a) The County Administrator shall annually develop a set of local legislative recommendations (a “Local Priorities Plan Recommendations”) for the Unified Government Board of Commissioners. The County Administrator shall develop the Local Priorities Plan Recommendations (1) in consultation with the Mayor/CEO of the Unified Government, the Chairpersons of the Unified Government Standing Committees, the Legislative Auditor, and Unified Government department heads along with their affiliated boards and commissions, and (2) using the most recent community survey results.

(b) The Local Priorities Plan Recommendations shall be limited to items that can feasibly be completed within one year and shall focus on, but shall not be limited to:

1. Identifying inefficient, confusing, costly, or unnecessary processes, steps, or requirements within departmental operations within the Unified Government;
2. Proposing solutions to address these issues, as recommended by the responsible parties;
3. Commission direction to boards, committees, and taskforces; and
4. Items that pertain to the general health, safety, and welfare of Wyandotte County/Kansas City, KS.

(c) The County Administrator or his/her designee shall present the Local Priorities Plan Recommendations developed pursuant to this Section to the Unified Government Board of Commissioners by no later than January of each year.

(d) After this presentation, the Unified Government Board of Commissioners shall take any of the following actions by no later than the last Full Commission Meeting of February after the County Administrator's presentation:

1. Amend, adopt, or reject the set of Local Priorities Plan Recommendations, either individually or as a complete set; and/or
2. Direct the County Administrator to further review the Local Priorities Plan Recommendations or other possible resolutions or ordinance changes.

(e) If they are adopted, the Local Priorities Plan Recommendations shall be made publicly available on the Unified Government's website and through other appropriate communication channels to ensure transparency and community awareness. Further, the Unified Government Board of Commissioners shall use the adopted Local Priorities Plan Recommendations to give direction to appropriate boards and committees to which they make appointments.

Section 2. Effective Date. This resolution shall take effect and be in full force from and after its passage and approval.

**APPROVED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF THE
UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS
THIS ____ DAY OF _____, 2025.**

Tyrone A. Garner, Mayor/CEO

Attest:

Unified Government Interim Clerk

Approved as to Form:

Unified Government Acting Chief Counsel

Local Priorities Plan



June 23, 2025 Administration and Human Services Standing Committee

Background

- In 2024, Cities Work organization conducted an evaluation of ways to reduce barriers for entrepreneurs and small businesses
- Recommendation #18: Adopt a “spring cleaning” ordinance to establish ongoing streamlining and efficiency reviews. Adopting the “Spring Cleaning“ ordinance will encourage departments to identify and address inefficient or confusing permits, licenses, and processes.
- Evolved into proposed ordinance to create a Local Priorities Plan



Purpose of Local Priorities Plan

- Alignment between Mayor, Commissioners, Administrator, Staff, and Legislative Auditor
- Identification of specific areas of focus
- Drive action in updating policies and procedures
- Focus on what is feasible for one year's worth of work
- Engage Standing Committees to work on specific areas
- Engage Boards and Commissions to work on specific areas



Local Priorities Plan

- County Administrator, in consultation with the Legislative Auditor, community survey, Department Heads, and Boards and Commissions, shall develop a recommended annual Local Priorities Plan.
- Focus on:
 - 1) Identifying inefficient, confusing, costly, or unnecessary processes, steps, or requirements within departmental operations within the Unified Government;
 - 2) Proposing solutions to address these issues, as recommended by the responsible parties;
 - 3) Commission direction to boards, committees, and taskforces; and
 - 4) Items that pertain to the general health, safety, and welfare of Wyandotte County/Kansas City



Mechanics of Local Priorities Plan

- Proposed by County Administrator in January
- Commission no later than end of February shall
 1. Amend, adopt, or reject the set of Local Priorities Plan Recommendations, either individually or as a complete set; and/or
 2. Direct the County Administrator to further review the Local Priorities Plan Recommendations or other possible resolutions or ordinance changes.
- The Mayor in consultation with the standing committee chairs and the County Administrator shall divide the recommendations responsibilities by the following categories: County Administrative, Standing Committee, Appointed Board/Commission.
- Board of Commissioners shall use the adopted Local Priorities Plan Recommendations to give direction to appropriate boards and committees to which they make appointments



Questions?





Report to Administration & Human Services

MEETING DATE	PRESENTER	DEPARTMENT
	<div data-bbox="586 386 1036 478" style="border: 1px solid black; padding: 2px;">Michael Abbott, Election Commissioner</div> <div data-bbox="586 478 1036 571" style="border: 1px solid black; padding: 2px;">Zach Hunt, Deputy Election Commissioner</div> mgabbott@wycokck.org, zhunt@wycokck.org x8599, x8500	Election
AGENDA ITEM #4.4.		
PRESENTATION: ELECTION ACTIVITIES UPDATE		
BACKGROUND		
<p>In this update, the Election Office will provide a general overview of the functions and responsibilities of the Wyandotte County Election Office and the role the office plays in candidate filings, voter registration, polling place management, election worker training, managing election technology, and overseeing election day operations. Additionally, we'll cover a general overview of the legal and logistical frameworks we operate within, such as compliance with state and federal laws, and our efforts to maintain the integrity of elections through testing, audits, and certification processes.</p> <p>Furthermore, we will explore steps the Election Office has taken to improve election accessibility and security such as implementing secure ballot drop-box locations, expanding early in-person voting locations, and maintaining two-person integrity at the Election Office. Lastly, we'll address our budget needs, the challenges we face, and discuss our commitment to continuous improvement. The goal of this presentation is to provide the Board of Commissioners with a comprehensive understanding of our office's work and highlight the need for continued support and investment to ensure the success of the election process.</p>		
RECOMMENDATION		
For information only		
BUDGET IMPACTS / FINANCIAL CONSIDERATIONS		
N/A		
LEGAL/ POLICY CONSIDERATIONS		
ATTACHMENTS		
Election Office Commission Presentation V3		

Approved by Mayor/Administrator to add to agenda.

WYANDOTTE COUNTY ELECTION OFFICE



1997

FREQUENT ELECTIONS ARE CRUCIAL TO THE REPRESENTATION OF THE PEOPLE.

CONSOLIDATION STUDY REPORT
REV. ROBERT L. BAYNHAM, CHAIRMAN
GARY D. GRABLE, VICE-CHAIRMAN
DR. THOMAS R. BURKE, MEMBER
AILEEN C. EIDSON, MEMBER
RICHARD A. RUIZ, MEMBER

HOW ELECTIONS ARE ADMINISTERED

FEDERAL GOVERNMENT

Sets laws that govern all elections

KANSAS LEGISLATURE

Sets laws that govern state elections

KANSAS SECRETARY OF STATE

Sets broad election policy for the state

COUNTY ELECTION OFFICER

Administers all elections

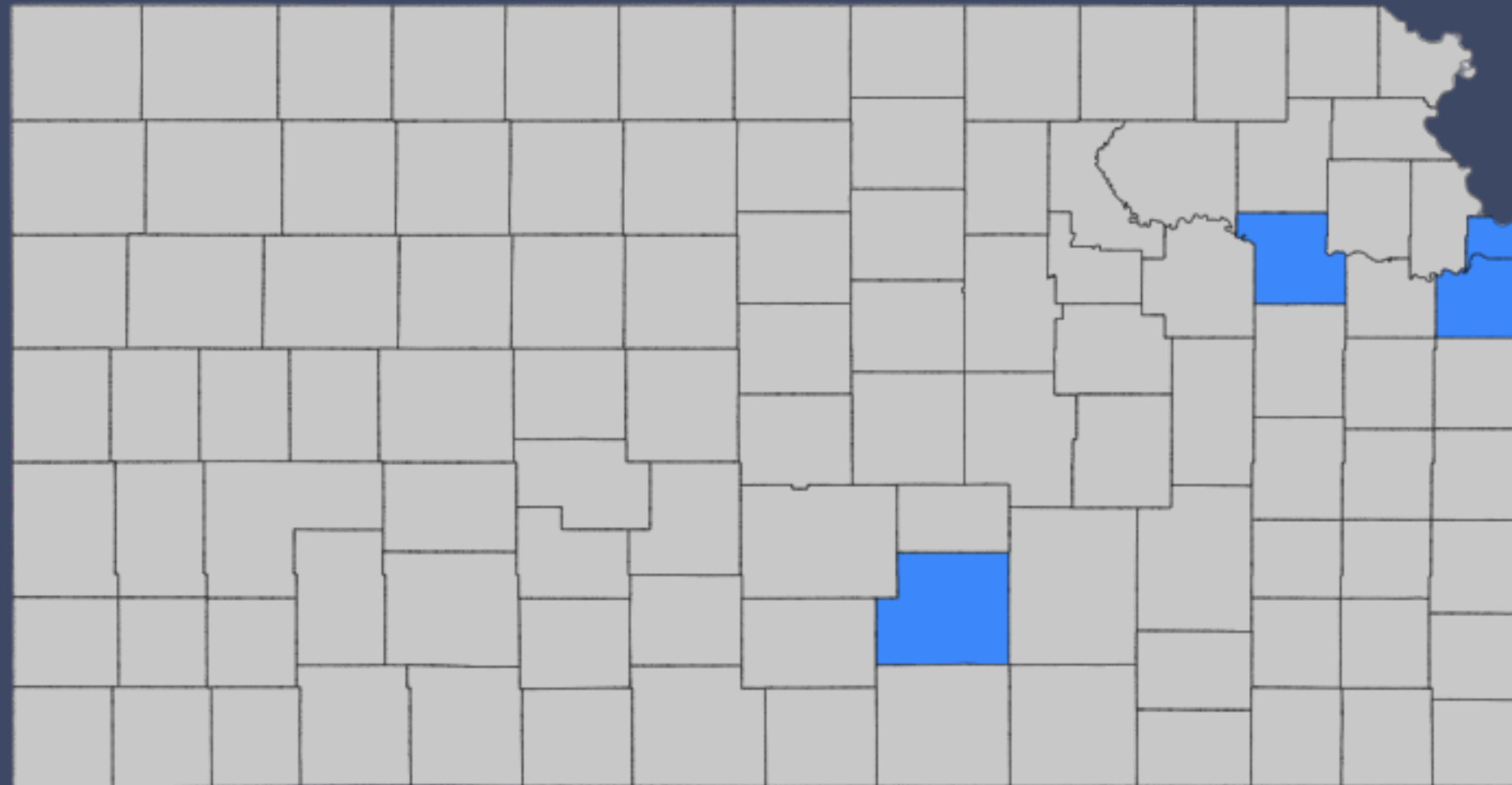
COUNTY ELECTION OFFICER



In Kansas, the County Election Officer (CEO) is the sole public officer with the statutory authority to plan, conduct, and coordinate elections within the County, and is charged with ensuring elections are conducted according to federal and state law

COUNTY ELECTION OFFICER

In the 4 most populas counties (Johnson*, Sedgwick, Shawnee, and Wyandotte*) the County Election Officer is appointed by the elected Kansas Secretary of State



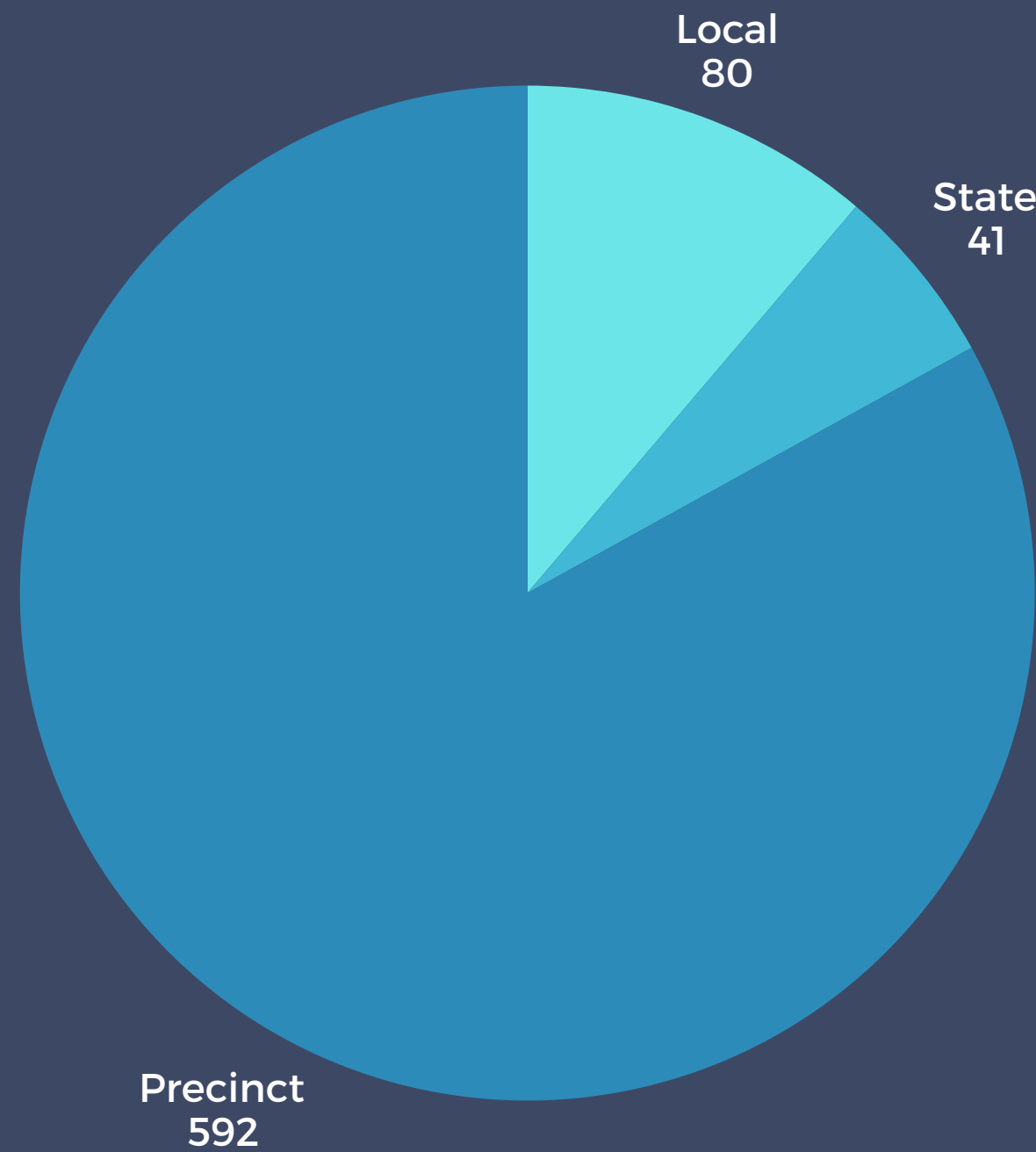
*Johnson and Wyandotte County have eliminated the position of Elected County Clerk

WHAT DOES AN ELECTION OFFICIAL DO?

**ELECTIONS
DONT JUST
HAPPEN**

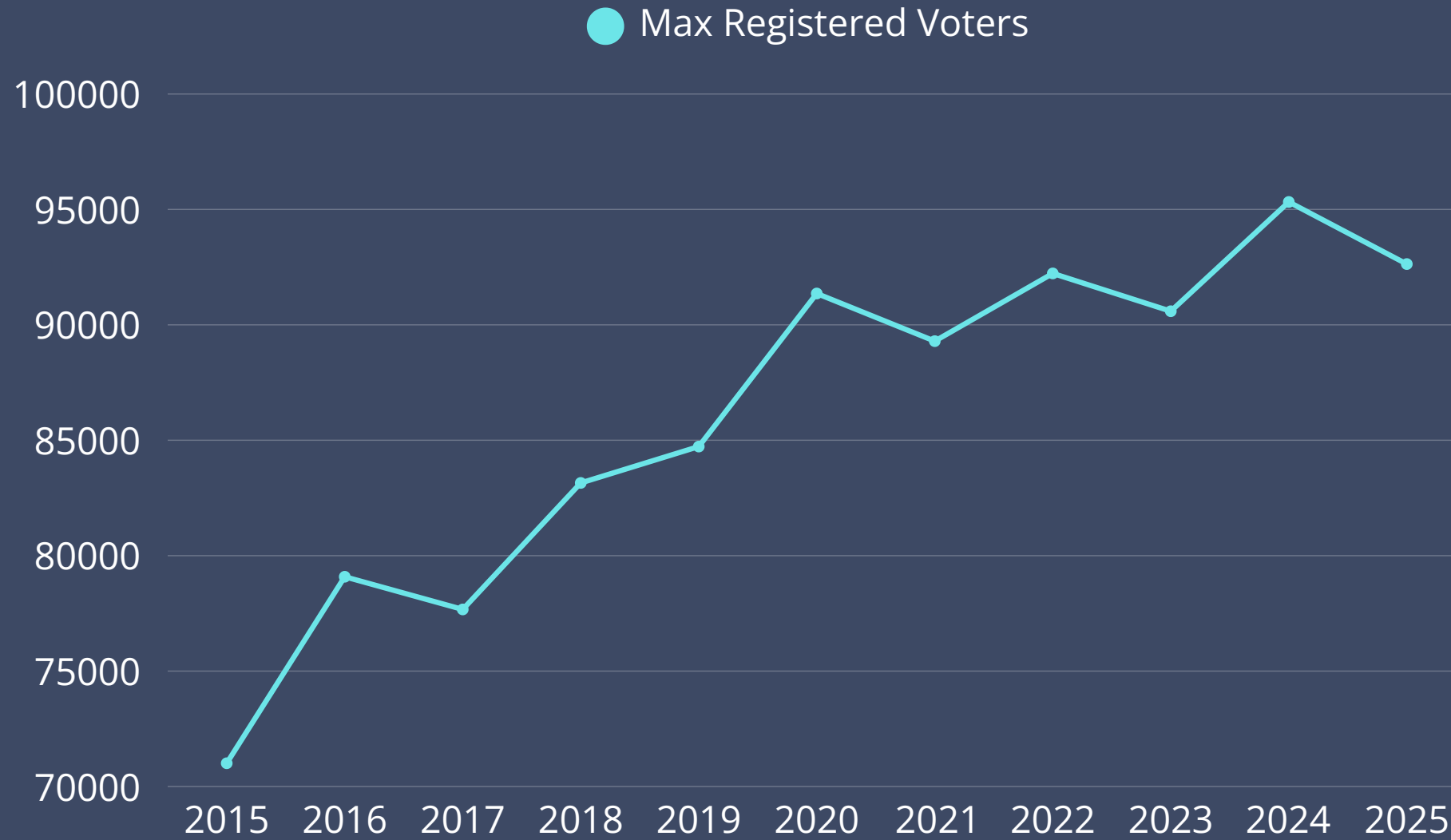


CANDIDATES & CAMPAIGN FINANCE



- Over 700 Elected Positions
- Maintain Jurisdiction/Precinct Boundaries
- Take Candidate Filings
- Receives and Retains Campaign Finance

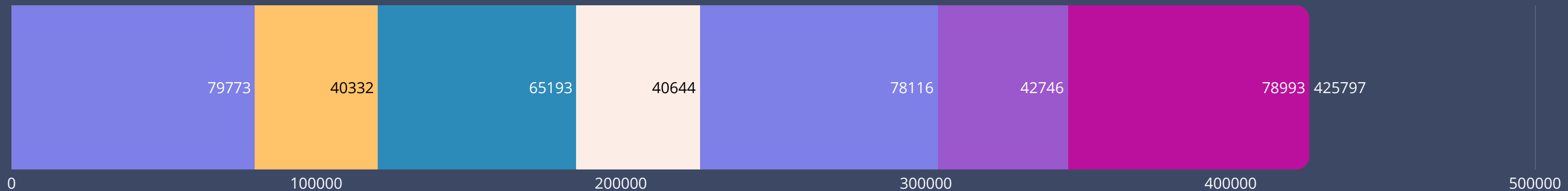
VOTER REGISTRATION



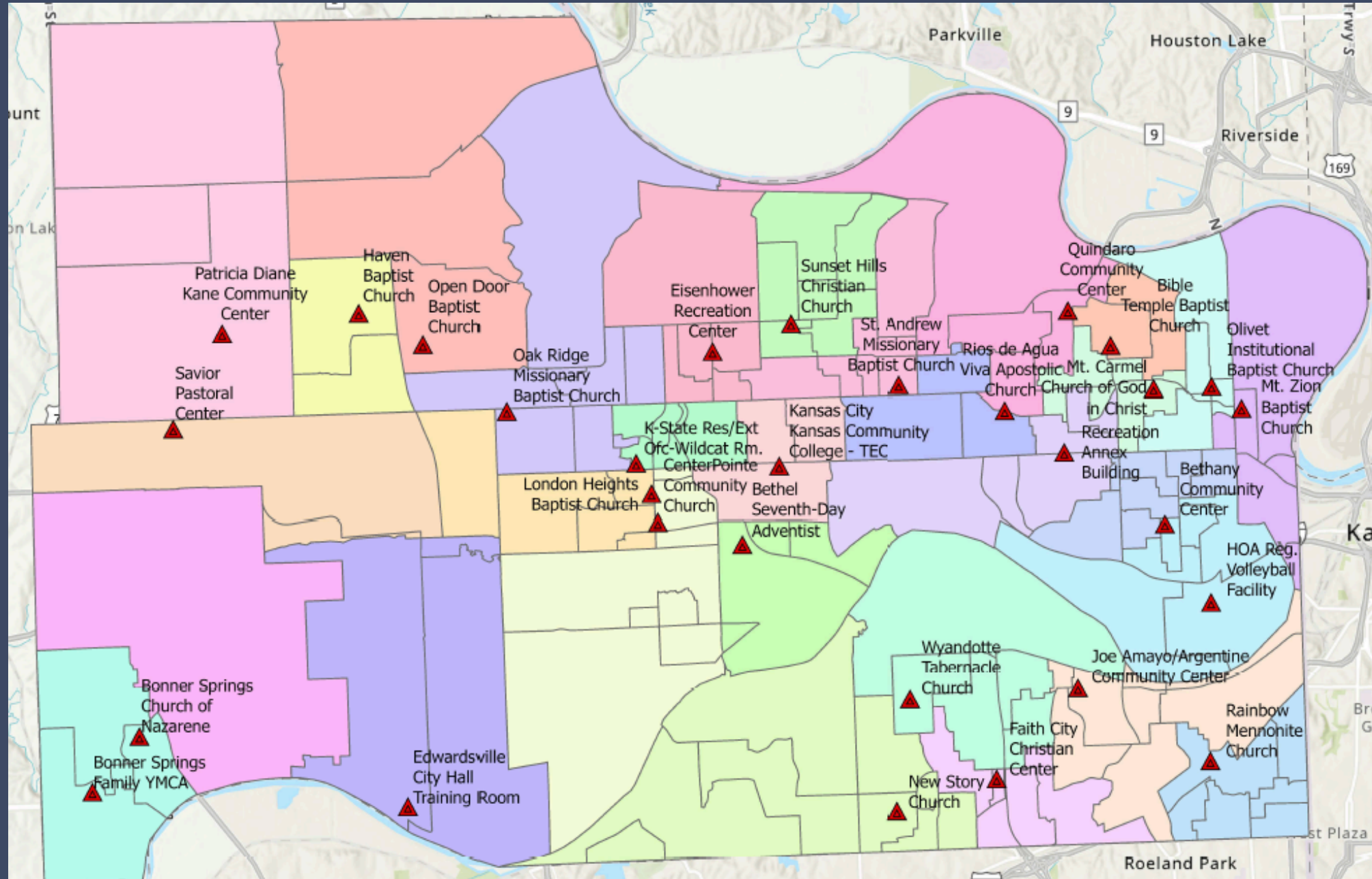
- **Maintains Voter Registration**
 - 40,000 - 80,000 changes a year
 - ~10,000 Phone Calls in 2024
- **Administers a Complex Street Index That Correlates to Jurisdictional Boundaries**
- **Conducts List Maintenance:**
 - Death Records Check
 - Felon Check
 - National Change of Address
 - Undeliverable Mail
 - NVRA Purge

● 2016 ● 2017 ● 2018 ● 2019 ● 2020 ● 2021 ● 2022

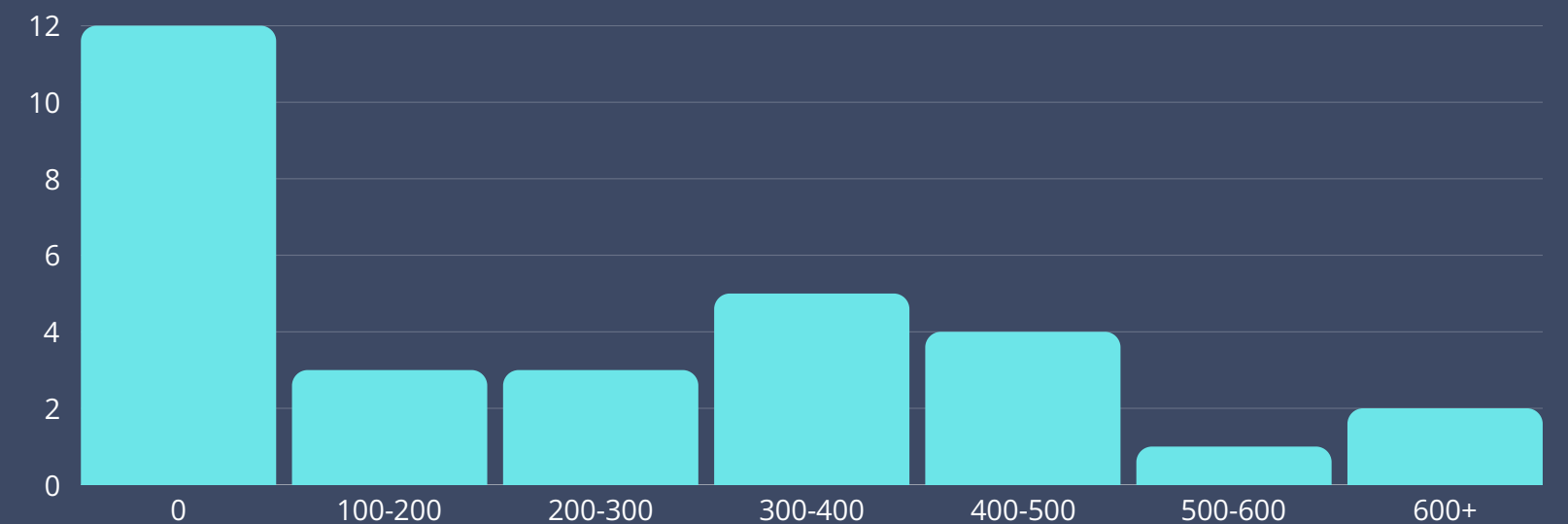
Changes to Registration Records



POLLING PLACE MANAGEMENT



- 4th largest county by population, 1st smallest by land area
- Manage ~35 Polling Locations
 - 30 Election Day
 - 5 Early Voting
- Evaluated for ADA compliance
- \$0 - \$2,000 per location per Election



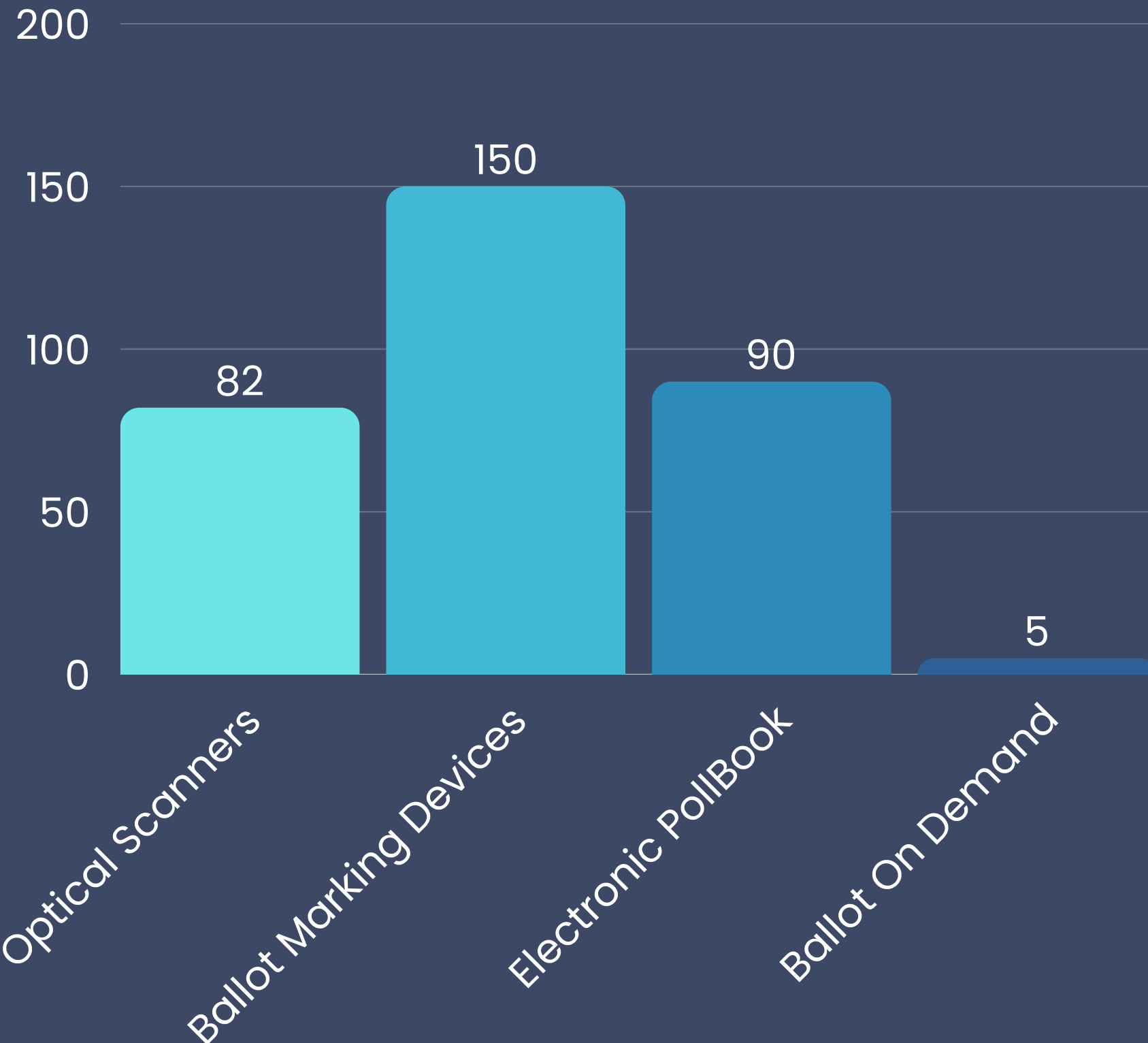
ELECTION WORKERS

Heros that make Election Day happen



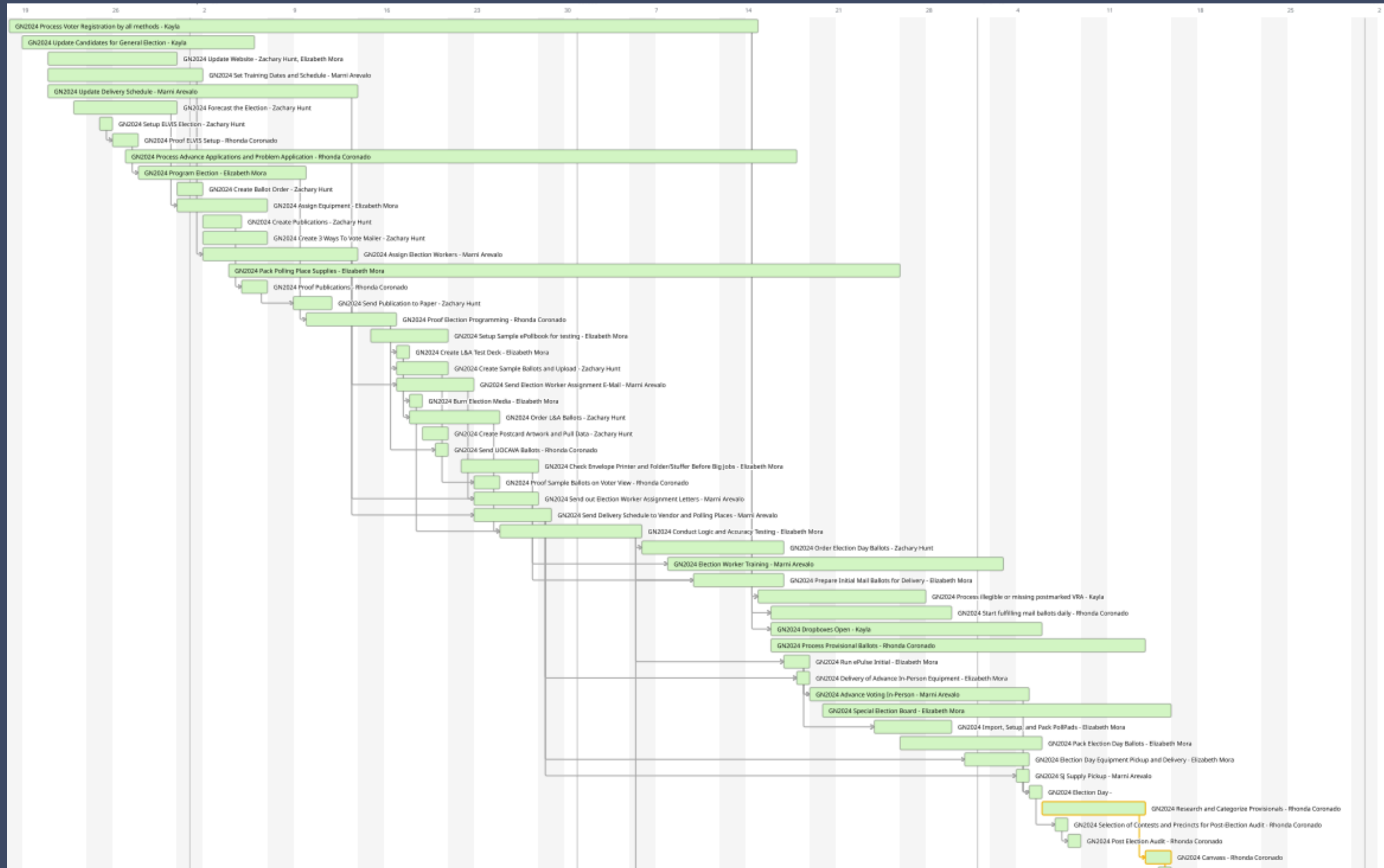
- Maintain communication with over 700 Potential Election Workers
- Use 250-350 per Election
 - Supervising Judge
 - Assistant Supervising Judge
 - Election Workers
- Conduct 15-25 trainings per Election
- ~1,500 man hours of training per election
- Last pay raise was in 2016:
 - 9.01-13.65 an hour
- 2023 - switched payment method
 - Perceived pay decrease

ELECTION TECHNOLOGY, TESTING, & SECURITY



- State law provides that Election Technology is in the sole custody of the County Election Officer
- Must be certified by the Election Assistance Commission and the Kansas Secretary of State
- Over 300 Pieces of Election Technology
- Everything Undergoes Rigorous Testing Before an Election
 - 1,500 - 5,000 ballots cast when testing

WHAT DOES AN ELECTION OFFICIAL DO?



ELECTION DAY

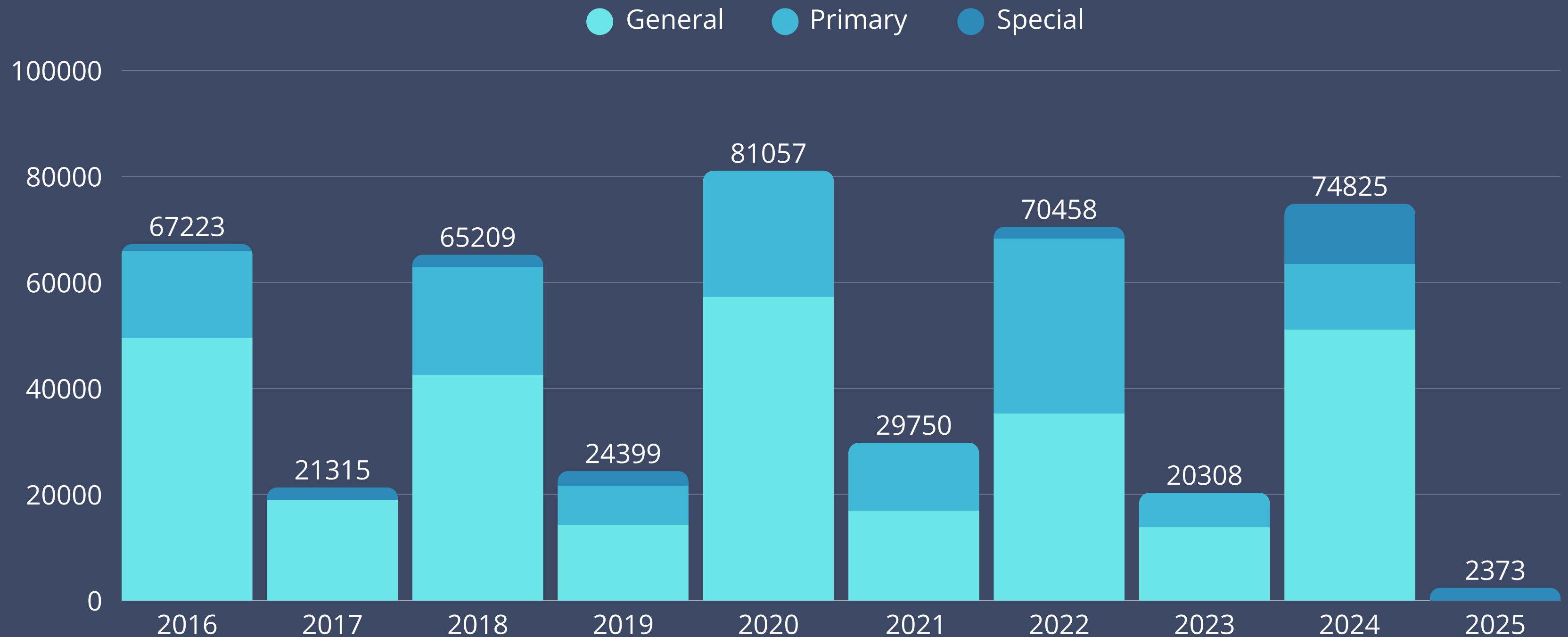
Game day for Election Officials



- Election Day starts as early as 5:00 a.m.
 - Verify chain of custody and setup the polling place to start voting at 7:00 a.m.
- Election Office has to ensure continuous communication between voters and the election workers and monitor everything in real-time
- 20k-45k voters, across 30 locations
- Polls close at 7:00 p.m.
 - Election workers must complete chain of custody, secure equipment, and transport everything back to the Election Office
- Election Office tabulates election results and secures all voted ballots

“EVERY ELECTION IS DETERMINED BY THE PEOPLE WHO SHOW UP” - SABATO

<450,000 Votes Cast since 2016



WHATS NEW?

WycoVotesKck.gov Domain

- The .gov address provides assurance to the public that the website they are accessing is an official government source and requires verification by the U.S. Cybersecurity and Infrastructure Security Agency before being issued
- Working with DOTS migrate and update website



WHATS NEW?

Increased/Standardized Number of Early In-Person Voting Locations

- 2 weeks National/State Elections
- 1 week City/Local Elections

1. Edwardsville City Hall Training Room

670 S. 4th St, Edwardsville

2. Eisenhower Recreation Center

2801 N. 72nd St, Kansas City

3. Joe Amayo/Argentine Community Center

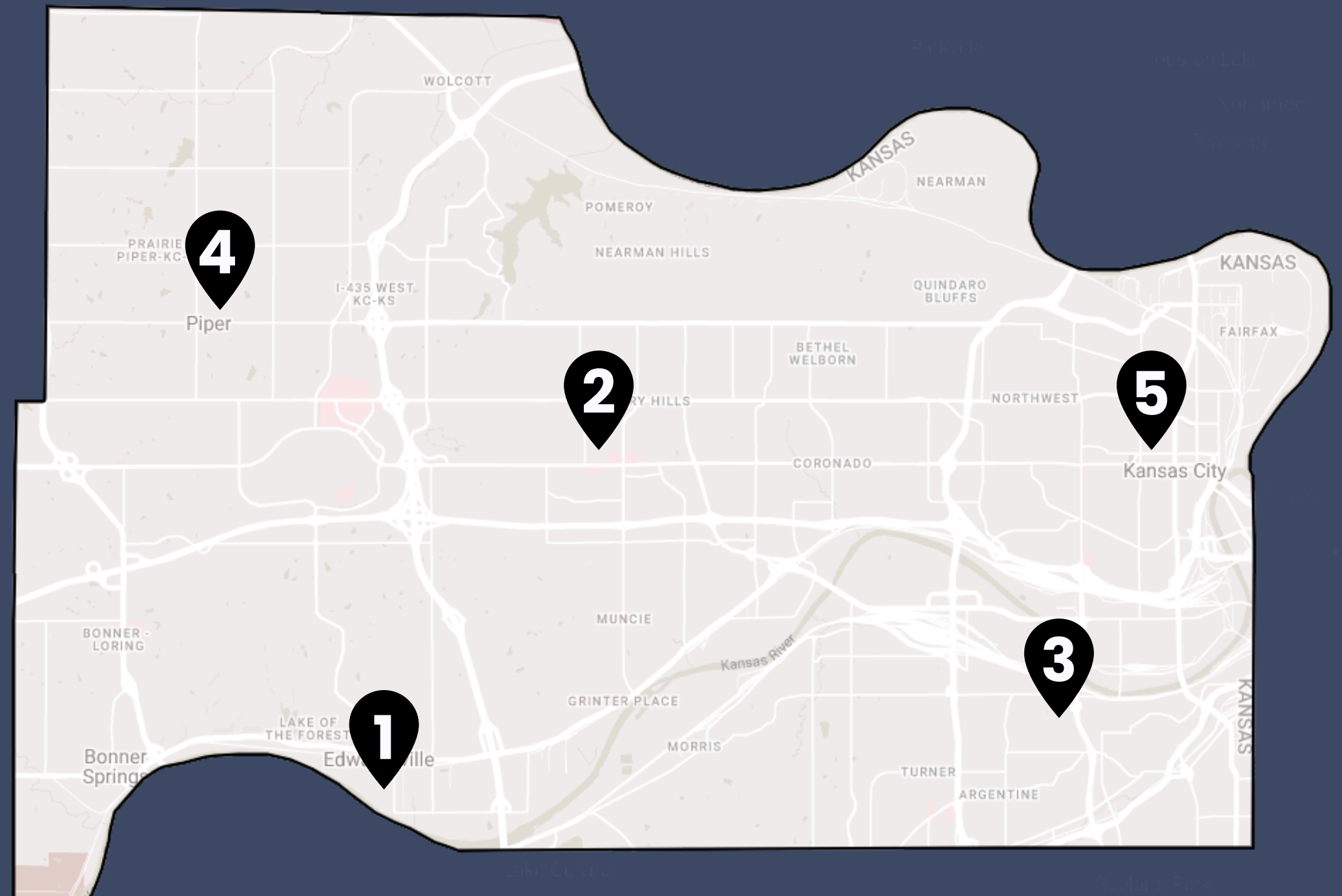
2810 Metropolitan Ave, Kansas City

4. Patricia Diane Kane Community Center

3130 N. 122nd St, Kansas City

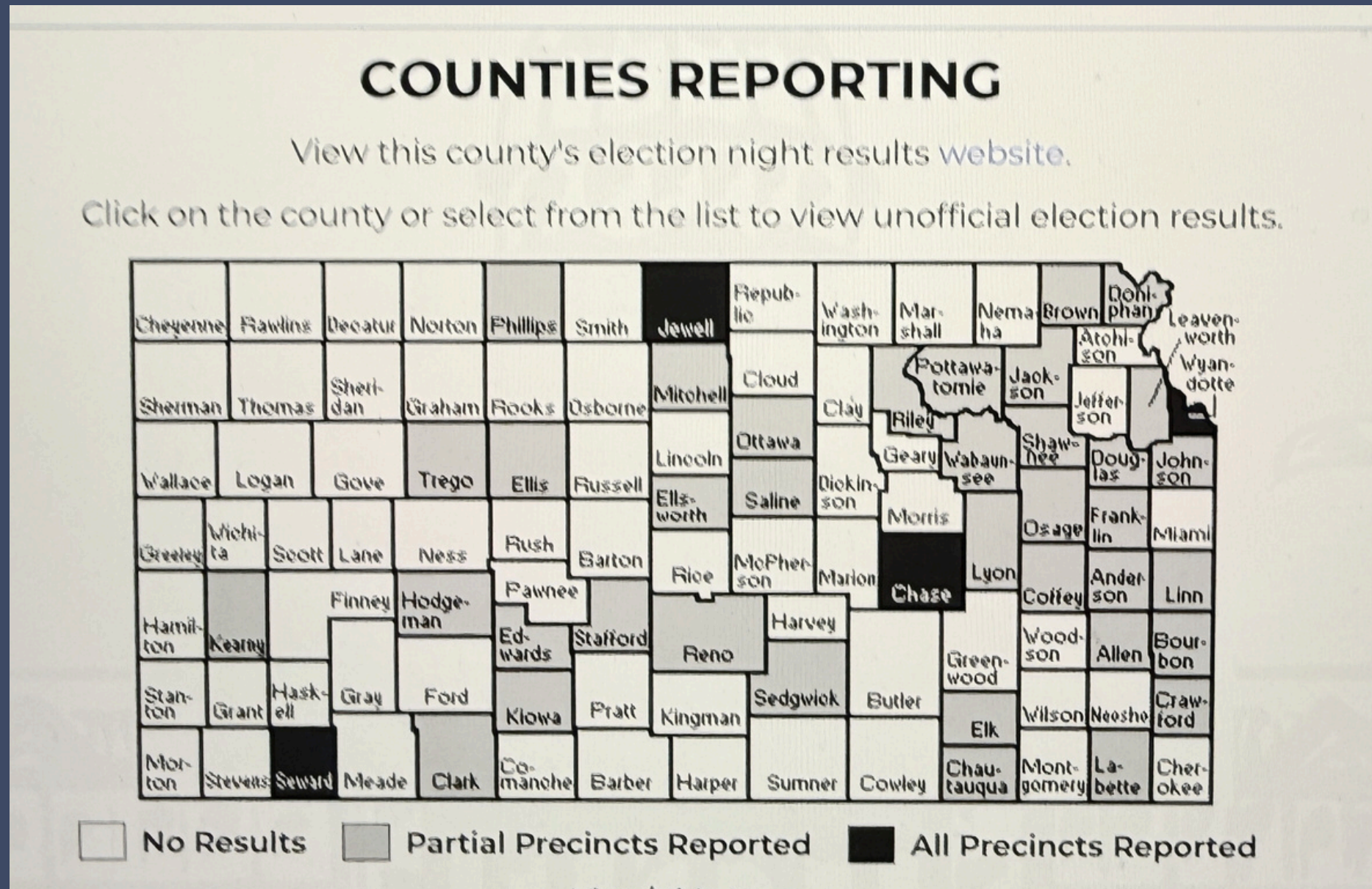
5. Wyandotte County Election Office

850 State Ave., Kansas City



WHATS NEW?

Election Night Results



- Vastly Improved Operations
- One of the first counties to report in the state
- ~8:15 p.m.

WHATS NEW? Election Security

- 2024 SOS Grant/HAVA Money
- Increased in operational security
- 24/7 Ballot Drop Box cameras
- High security for any place that contains ballots or election technology:
 - Only Election Officials have access
 - At no time shall a single person enter a secured area alone
 - Access logs and records must be maintained documenting names, date, and reason for entry



WHATS NEW?

Public Outreach

- Increased Presence In The Community
- Attending Community Resource Meetings
- I Voted Sticker Contest
- Engaging With Students



NEEDS

Dedicated Training Room



- Current training in warehouse
- Training is happening alongside election preparations
- Cannot ensure operational security
- Training now interferes with early voting operations
- Lower level of election office

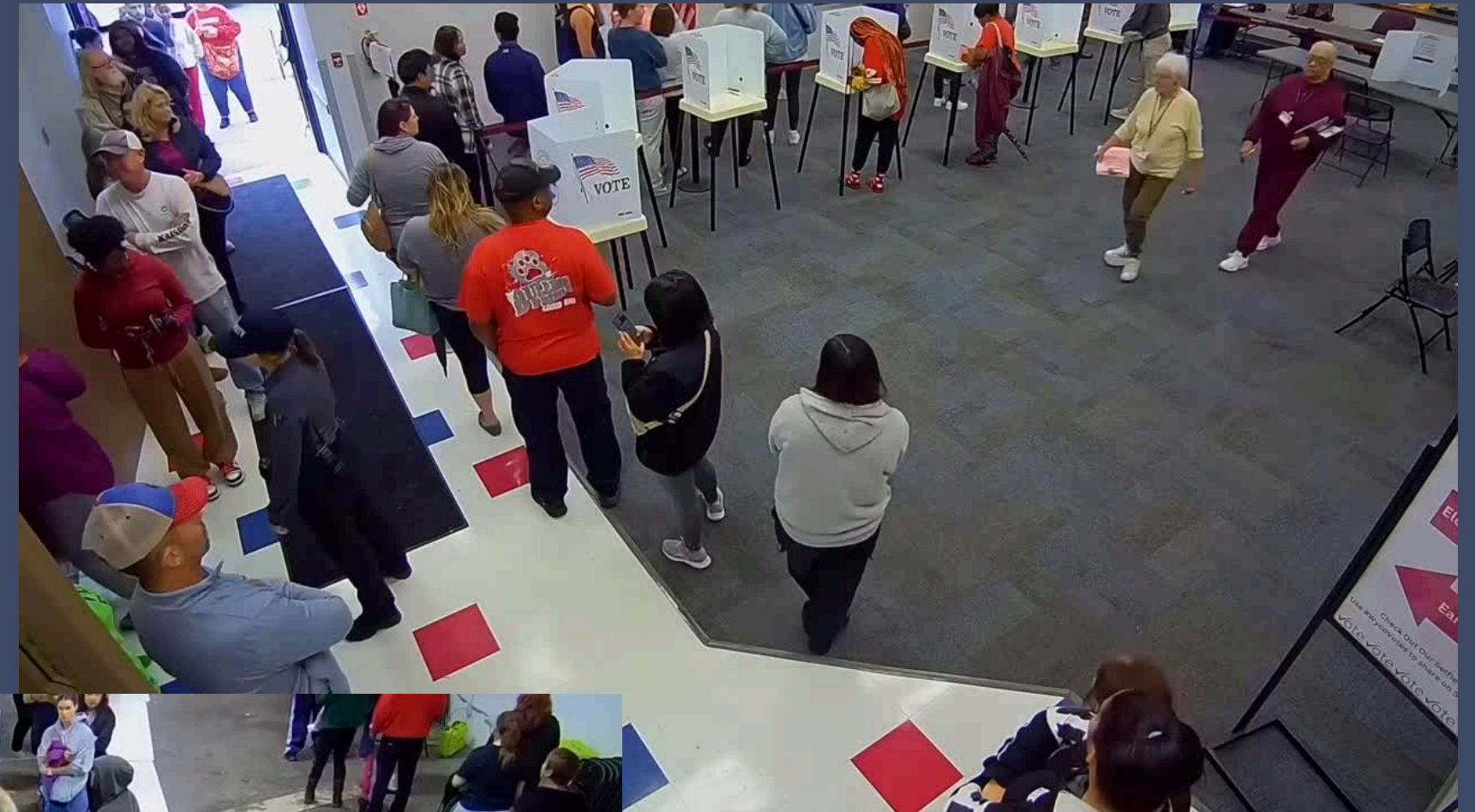
NEEDS

Parking Lot/Space Assessment



NEEDS

Parking Lot/Space Assessment



NEEDS

Phones



- Current phone system is inadequate when handling peak volume
- Work closely with DOTS to manage these challenges currently
- Need an agile and scalable system to manage call flows efficiently as volume increases across elections
- Future system should allow for emergency routing in the case of an outage

NEEDS

Next Generation Voting Equipment



- Current system purchased in 2017 is reaching end of life
- 2026-2027 replacement
- Currently in RFP development
- Enhanced security features and user accessibility
- Compliance with Election Assistance Commission VVSG 2.0
- ~\$2.5 million acquisition

BUDGET

- 2025 Budget: \$1,745,926
 - \$100,000 “anticipated” revenue for potential special elections
 - Actual \$1,645,926
 - .09 mills (~207,000) moved to the County General Fund

ITEMS FOR CONSIDERATION

- Election Worker Compensation
- Level of Early In-Person Voting the Commission wants to Support
- Future Capital Request
 - Training Room
 - Parking Lot
 - Phone Upgrades
 - Future Voting Systems

QUESTIONS?



Report to Administration & Human Services

MEETING DATE	PRESENTER	DEPARTMENT
	Phyllis Wallace, Director pwallace@wycokck.org x5505	Human Services
AGENDA ITEM #4.5.		
PRESENTATION: HUMAN SERVICES/CDDO		
BACKGROUND		
Human Service Department informatiuon and update.		
RECOMMENDATION		
For information only		
BUDGET IMPACTS / FINANCIAL CONSIDERATIONS		
N/A		
LEGAL/ POLICY CONSIDERATIONS		
ATTACHMENTS		
Human Service Standing Committee Presentation (002)		

Approved by Mayor/Administrator to add to agenda.

HUMAN SERVICES DEPARTMENT UPDATE



Monday, June 23, 2025
NCD Standing Committee Presentation

1

Overview



- **Community Developmental Disabilities Organization (CDDO)** – Providing contractual oversight to ensure the health and safety of our most vulnerable citizens.
- **Human Relations-** Advisory Commission on Human Relations and Disability Issues ensuring equal opportunity for all citizens in the areas of employment, housing, public accommodations as well as education for Landlords and Tenants in our community.
- **Dispute Resolution-** Works to resolve conflicts between parties outside the courtroom and provide Mediation as requested.



Wyandotte Developmental Disabilities Organization

- There are 27 Community Developmental Disability Organization (CDDO)'s across the State serving the 105 counties in Kansas.
- Wyandotte County is the 7th largest populated area of clients identified as having an Intellectual or Developmental Disability.

About Us



- Contracted by Kansas Department for Aging and Disability Services
- Single point of entry to access services for individuals with Intellectual and Developmental Disabilities who meet the eligibility criteria.
- The WCDDO does not provide direct services, but there are 46 agencies contracted to provide a variety of services to our most vulnerable population
- Gatekeeper for individuals going into Parsons State Hospital (PSH) and Kansas Neurological Institute (KNI)
- Perform CARE Level II screenings for individuals seeking nursing facility short and long- term placement
- Perform Level of Care assessment for I/DD clients to determine initial and annual eligibility for Home Community Based Services

Home Community Based Services

Home and Community Based Services help people stay in their home and in their communities. It also helps people avoid institutions.

A waiver is something that waives a person's right to an institution. (refrains a person being placed in an institution)

Kansas has seven waivers and next year we welcome an eighth waiver

To be on a waiver, one must also be on Medicaid

Each waiver has eligibility criteria, and you must be Program Eligible and Medicaid Eligible to be active on the waivers.

- **I/DD- Intellectually/Developmentally Disabled (has a waitlist of about 10 years)**
- **SED- Severe Emotional Disturbance**
- **TA-Technology Assistance**
- **PD- Physical Disability (has about a year waitlist)**
- **BI-Brain Injury**
- **FE-Frail and Elderly**
- **AU- Autism**
- **CSW – Community Supports Waiver- (being developed)**



Types of Home Community Based Services

- Vehicle Modification Services
- Specialized Medical Equipment & Supplies
- Home and Environmental Modifications
 - Adult Day Supports
 - Enhanced Care Services
 - Financial Management Services
- Medical Alert-Rental
- Overnight Respite
- Targeted Case Management (This is not a waiver service and is available once you are found eligible for I/DD services. If you are not KanCare eligible, there may be a fee for this service.)
- Personal Care Services
- Residential Supports for Adults
- Residential Supports for Children
 - Specialized Medical Care
 - Supported Employment
- Children's Integrated Community Supports
- Wellness Monitoring

Wyandotte Community Developmental Disability Organization: (WCDDO) Overview

- Serving over 750 clients- Wyandotte
- Statewide waitlist – over 5,300 waiting for HCBS
- Local waitlist – 221 Wyandotte residents waiting for HCBS services. The last individuals allocated waitlist funds have been waiting since 2016 (Legislators appropriate waitlist funding).
- Average annual cost for a high need client receiving Day and Residential services in a group home- over \$100,000

Day Services - Annual cost Tier 1 – \$68,448.00

Residential Services– Annual cost Tier 1 – \$87,494.40

Wyandotte Community Developmental Disability Funding



STATE/FEDERAL
MATCH- 65%



MILL LEVY FUNDING
- 35%



7-FULL TIME STAFF

Funded Programs

- Special Olympics Activities - Can be accessed by anyone who has completed eligibility
- Summer Day Program – 18 or older (for people on Statewide waitlist)
- Day Program -18 or older- activities within an agency promoting independence and community inclusion
- Residential (group home)/In home care (own or family home)
- Emergent Need Funds- rent/mortgage (at risk of being unhoused), household necessities, car repair, dental, accessibility equipment, etc.

Human Relations Division

The goal of the Human Relations Division is to ensure equal opportunity for all citizens in the areas of:

- Employment
- Housing
- Public Accommodations
- Contract compliance with Local, State and Federal civil rights laws
- Provides tenant/landlord mediation services

Contract Compliance requires all contracting companies to comply with Local, State, and Federal equal employment opportunity and affirmative action requirements prior to the execution of a contract.

Human Relations

Division:

Overview/Update

American Disability Act (ADA)- questions, complaints, referrals

Landlord /Tenant Education- Annual Trainings

25 - Average Weekly Landlord/Tenant calls/emails (Higher call volume depending on season)

Top 5 Landlord/ Tenant Issues

- 1. Eviction notice
- 2. Maintenance/ Repairs
- 3. Lease Problems
- 4. Landlord/Tenant Conflict
- 5. General questions

Disabled Residential Parking Signage 2025

- Application received- 4
- Approved- 1
- Declined- 3

Top 3 reasons for decline

- Applicant has an existing driveway/garage
- Applicant's medical condition is temporary
- Application is incomplete or no medical personnel attesting to the medical condition

Advisory
Commission on
Human
Relations and
Disability Issues
(ACHRDI)-
Update

Mission

The Advisory Commission on Human Relations & Disability Issues Commission shall be to provide, foster, encourage and stimulate mutual understanding, respect and harmonious relations among all racial, religious, ethnic and minority groups (including people with disabilities), to discourage and prevent prejudice, intolerance, bigotry, disorder and discriminating practices against any group or its members, to function as the advisory on disability issues in order to identify necessary services and the delivery of quality services in our community

Challenges/Barriers

- Unable to conduct business due to quorum issues
- Currently 7 vacancies (including Bonner Springs and Edwardsville Mayors)

Dispute Resolution/Mediation Information/Update

Dispute Resolution/Mediation

- The Office of Dispute Resolutions receives police department referrals in misdemeanor complaints (common battery, criminal damage, petty thefts, telephone harassment, etc.) and attempts to resolve such complaints.
- Dispute Resolution can instruct citizens with questions about property line issues, fallen trees and tree limb issues as well as directing citizens to the right resource for many other community



Department of
Human Services
Office of Dispute
Resolution



*The process of resolving
conflicts between parties
outside of the courtroom.*

Dispute Resolution/ Mediation: Overview

Information

- 1-Full time Staff (FTE)
- Funded- General Funds
- State Approved Mediator : Domestic & Civil Mediation

Types of cases seeking remediation

- Criminal Damage
- Petty Theft
- Assault
- Battery
- Phone harassment
- Violation of protection order

Community Events/Initiatives

- August 22, 2025 - Picnic in the Park I/DD Awareness Community Event
- 2nd Tuesday of May, June, July and August @ KCKCC Lodge by the Lake – Job readiness education classes overseen by Council Community Members Committee.
- Participation in community resource fairs and school activities/ events to provide education and resources about our programs and services.
- Landlord and Tenant Training for the Community



Community Events/ Partners

Partners

School/Community Resource Information Fair

I/DD Awareness Events

Picnic in the Park

Ethnic Festival

Youth Transition Alliance Wyandotte County Team

Person Centered Kansas City Regional Event

Job Readiness Training/Classes for Developmentally Disabled

- United Health Care - Sunflower Health Plan - Healthy Blue Kansas
- KCK, Piper, and Turner School Districts
- Special Olympics
- Able Saving Plan
- Kansas Department for Children and Families
- Families Together, Inc.
- K-State
- Kansas Guardianship
- Kansas Legal
- Wyandotte Mental Health
- Housing and Credit Counseling Inc.
- Vocational Rehabilitation
- Independence Inc.
- Youth Transition Alliance Wyandotte County Team
- Kansas City Public Schools and Kansas City Community College
- Kansas Department for Aging and Disability Services (KDADS)

Questions?

Wyandotte County Developmental Disabilities Organization (WCDDO)
Office: (913) 573-5502
Fax: (913) 573-5511

Human Relations
Office: (913) 573-5460
Fax: (913) 573-5511

Dispute Resolution
Office: (913) 573-5225
Fax: (913) 573-5511



WYANDOTTE COUNTY DEVELOPMENTAL DISABILITIES ORGANIZATION

ALL THE INFORMATION YOU NEED AND WANT



701 North 7th Street, Room 346
Kansas City, KS 66101
Office— (913) 573-5502
Fax—(913) 573-5511



Landlord /Tenant Housing Information



Know your rights and responsibilities

Human Relations Division



Department of Human Services Office of Dispute Resolution



DISPUTE RESOLUTION

The process of resolving conflicts between parties outside of the courtroom.



Report to Administration & Human Services

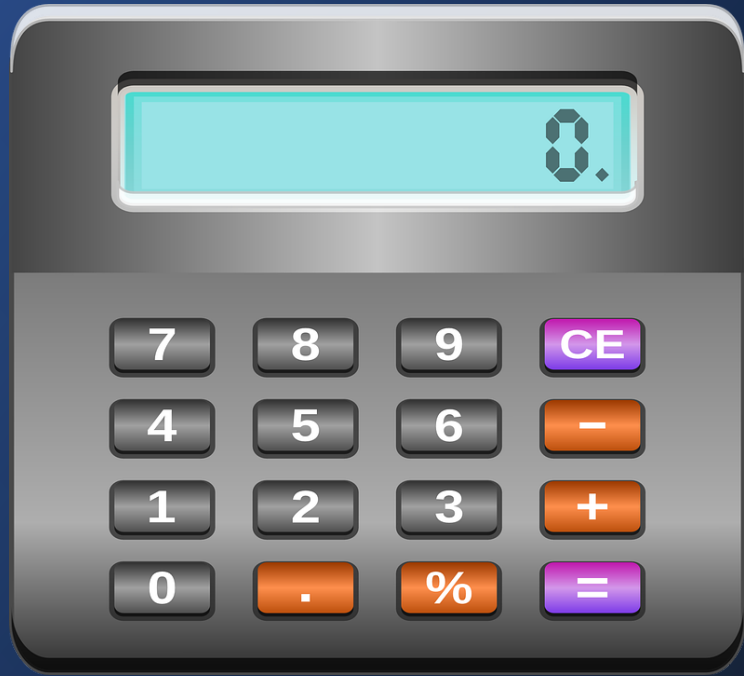
MEETING DATE	PRESENTER	DEPARTMENT
	<div style="border: 1px solid black; padding: 2px; margin-bottom: 5px;">Monica Sparks, UG Clerk</div> msparks@wycokck.org x4122	UG Clerk
AGENDA ITEM #4.6.		
PRESENTATION: UG CLERK'S OFFICE OVERVIEW		
BACKGROUND		
<p>A presentation from the UG Clerk' Office providing an update of the utility/sales rebate program and other roles and responsibilities of the Clerk's Office. Customer Service and Efficiency Initiatives will also be presented.</p>		
RECOMMENDATION		
For information only		
BUDGET IMPACTS / FINANCIAL CONSIDERATIONS		
None		
LEGAL/ POLICY CONSIDERATIONS		
None		
ATTACHMENTS		
AHS presentation		

Approved by Mayor/Administrator to add to agenda.

UG Clerk Overview



CLERK'S OFFICE



Rebate Programs
administered by the
UG Clerk's Office

- Utility/Sales Rebate
- BPU Pilot Relief

- Property Tax (State of Kansas)



Utility Rebate

Must be a ratepayer
Income/Age/Disability
based
Maximum \$200 rebate
amount available

Do you pay



THE POWER OF COMMUNITY



at&t



Sales Tax Rebate

Must be a KCK
resident
Income/Age/Disability
based
\$200 rebate amount

No utilities? You can still qualify



Property Tax Relief: Homestead/ Safe Senior/ Disabled Veterans

What are these rebates?

- Rebate amount varies depending on age/income/disability and amount of property tax
- Homestead maximum of \$700
- Safe Senior equals up to 75% of property tax
- Disabled Veterans/Seniors equals difference in tax from base year



Do you own and live
in your home?



How do I qualify

What do I need?

When do I apply?

What do I need to prepare for my 2026 rebates?



Start gathering information needed for January 2026:

- Contact information
- Proof of all 2025 income
- Utility bills for each month of 2025
- Disability letter
- Property tax information

Eligibility

You may qualify for a rebate on your utility bills and/or property taxes!

Age 65+ on Jan 1 or disabled
Meet income guidelines
WYCO / KCK resident

What's Available:

Up to \$400 in UG rebates
Property tax rebate from state of Kansas
PILOT relief
Quick & easy application process

What you'll need:

Proof of age
Proof of income
Proof of disability
Utility and income documents from 2025

Call 573-5311 with questions
Start preparing today for upcoming rebate season!

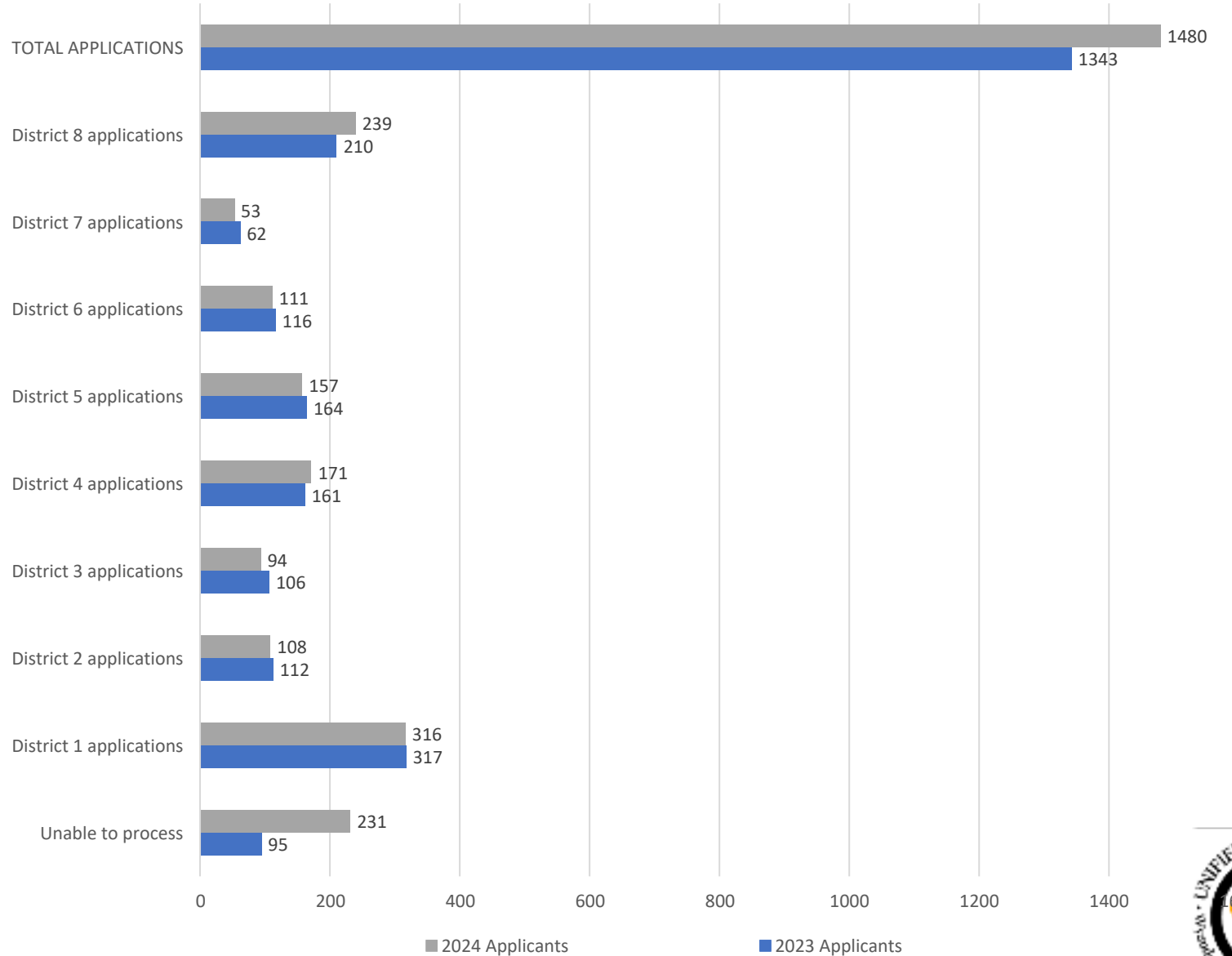


Citizens served

UG REBATE TOTAL	\$465,056.54
PROPERTY REBATE TOTAL	\$468,610.20
GRAND TOTAL	\$933,666.74

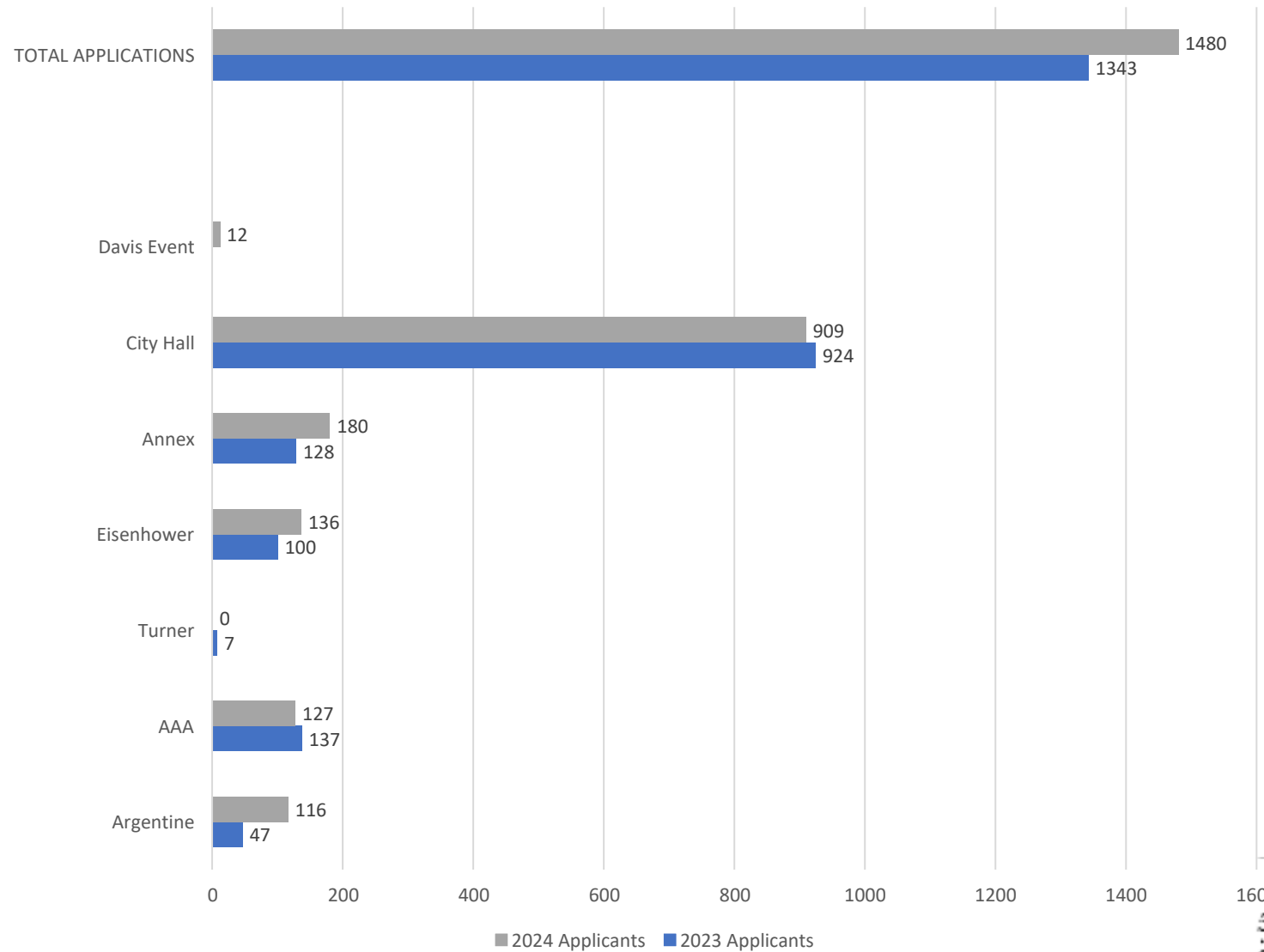
TOTAL UTILITY	\$220,456.54
TOTAL SALES	\$244,600.00
	\$465,056.54

Applicants by District



Citizens served

Site Attendance Comparison



Citizen Feedback

Ms. Walker was a first-time applicant. She was almost moved to tears when she got the news of her \$400.00 rebate. She said multiple times she was so very thankful and appreciated our service. She's currently struggling to afford meat at the grocery store and is looking forward to purchasing meat when her check arrives.

Ms. Wilson was in doing rebates and she was thrilled with her refund amount. Her refund is going to allow her to afford her medication.

One of my customers who came in is so appreciative and feels so blessed for this rebate program. She said she's been coming for years and is just so blessed to still be able to come and do rebates. She thanks our department and all of us who assist in rebates and says that we always do such a great job. She said her son in Italy called her to make sure she does it and she told him that she's been coming for a few years now. She said this year's advertising is better than before.



Rebate Superheroes



UG Clerk's Staff
Area Agency on Aging
Parks Department
Technology
Buildings & Logistics
Transportation
311
BPU

Barriers

- Communication
- Documents
- Language
- Transportation



UG Clerk's Office

Three Divisions

Ability * Motivation * Attitude

Administration

- Responsibilities defined nearly 1,000 times in the Kansas Statutes
- Commission Agendas and meetings
 - ❖ 81 meetings; 176.55 hours
- Minutes
- Web page calendar updates
- Meeting notices for 40 boards, commissions, task forces
- Utility/Sales Rebates
- Community Benefits Ordinance

Customer Service and Efficiency Initiatives

- Standard Agenda Formats
- One Zoom link per year per type of meeting
- Summary minutes – Otter.ai



UG Clerk's Office

Tax Levy

- 17 taxing entities-4 cities; 6 school districts, KCKCC, 3 drainage districts, SSMID, County Library, 1 township
 - Creation of UG Tax rolls
 - State of Kansas reporting requirements
 - State of Kansas audit certification
 - 2024 first year for revenue neutral
- Customer Service and Efficiency Initiatives
- Orion System
 - Email tax statements



UG Clerk's Office

Mail/Records

- FOI Officer-Open Records 2024:
 - ❖ 2 facilities
 - ❖ 4,604 records request
 - ❖ 111 Sheriff jackets
 - ❖ 962 boxes shredded
- UG Mail 2024:
 - ❖ 96,054 pieces of incoming mail;
 - ❖ 7,589 packages

Customer Service and Efficiency Initiatives

- Revive Records Advisory Board
- Consolidate Records into one building
- Create digital ordinance and resolution library



Thank
you

Questions?

