

Attachment D: Proposed Policies and Procedures

Northwest Missouri Regional Solid Waste Management District

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Proposed Policies for the Northwest Missouri Regional Solid Waste Management District

Policies appended on ____, 2008 by the Northwest Missouri Regional Solid Waste Management Board.

X. Non-discrimination and Anti-harassment Policy: The District is committed to a work environment in which all individuals are treated with respect and dignity. You have the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits discriminatory practices, including harassment. Therefore, the District expects that all relationships among persons in the workplace will be business-like and free of bias, prejudice and harassment. 3. c

It is the policy of the District to ensure equal employment opportunity without discrimination or harassment on the basis of race, color, national origin, age, marital or veteran status, sexual orientation, disabilities, or any other characteristic protected by law. The District prohibits and will not tolerate any such discrimination or harassment.

These policies apply to all applicants and staff members, and prohibit harassment, discrimination and retaliation whether engaged in by fellow staff members, a supervisor, a manager, or by someone directly connected to the District.

Conduct prohibited by these policies is unacceptable in the workplace and in any work-related setting outside the workplace, such as, during business trips, business meetings, or business-related social events.

Retaliation Is Prohibited

The District prohibits retaliation against any staff member who reports discrimination, harassment, and/or participates in an investigation of such reports. Retaliation against a staff member for reporting harassment or discrimination or for participating in an investigation of a claim of harassment or discrimination is a serious violation of this policy and, like harassment or discrimination itself, will be subject to disciplinary action.

Complaint Procedure

The District strongly urges the reporting of all incidents of discrimination, harassment, or retaliation, regardless of the offender's identity or position. Staff members who believe they have experienced conduct that they believe is contrary to District's policy or who have concerns about such matters should file their complaints with the Executive Board.

IMPORTANT NOTICE TO ALL STAFF MEMBERS:

Staff members who have experienced conduct they believe is contrary to this policy have an obligation to take advantage of this complaint procedure. A staff member's failure to fulfill this obligation could affect his or her rights in pursuing legal action. Also, please note, federal, state and local discrimination laws establish specific time frames for initiating a legal proceeding pursuant to those laws.

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Early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment. Therefore, while no fixed reporting period has been established, the District strongly urges the prompt reporting of complaints or concerns so that rapid and constructive action can be taken. The District will make every effort to stop alleged harassment before it becomes severe or pervasive, but can only do so with the cooperation of its staff.

The availability of this complaint procedure does not preclude staff members who believe they are being subjected to harassing conduct from promptly advising the offender that his or her behavior is unwelcome and requesting that it be discontinued.

The Investigation

Any reported allegations of harassment, discrimination, or retaliation, will be investigated promptly, thoroughly and impartially. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge.

Confidentiality will be maintained throughout the investigatory process to the extent it is consistent with adequate investigation and appropriate corrective action.

Responsive Action

Misconduct constituting harassment, discrimination or retaliation will be dealt with promptly and appropriately. Responsive action may include, for example, training, referral to counseling, monitoring of the offender and/or disciplinary action such as warning, reprimand, withholding of a promotion or pay increase, reduction of wages, demotion, reassignment, temporary suspension without pay or termination, as the District believes appropriate under the circumstances. If a staff member making a complaint does not agree with its resolution, the staff member may appeal to the District's Full Board.

Finally, these policies should not, and may not, be used as a basis for excluding or separating staff members of a particular gender, or any other protected characteristic, from participating in business or work-related social activities or discussions in order to avoid allegations of harassment. The law and the policies of the District prohibit disparate treatment on the basis of sex or any other protected characteristic, with regard to terms, conditions, privileges and prerequisites of employment. The prohibitions against harassment, discrimination and retaliation are intended to complement and further these policies, not to form the basis of an exception to them.

The District expressly prohibits any form of unlawful harassment of staff and co-workers based on race, color, religion, creed, gender, national origin, age, marital or veteran status, sexual orientation, or the presence of handicaps or disabilities.

The District expressly prohibits any form of harassment that interferes with the ability of any staff member to perform his or her job responsibilities.

A staff member who harasses any other staff or any customers/constituents of the District, the District is subject to discipline up to and including dismissal.

The District will not, under any circumstances, condone or tolerate conduct which may constitute sexual harassment on the part of its directors, supervisors or full-time and part-time personnel. It is our policy that all staff members has the right to work in an environment free from any type of illegal discrimination, including sexual harassment. Any staff found to have engaged in such conduct will be subject to immediate discipline up to and including discharge.

Sexual harassment is defined as:

1. Making submission to unwelcome sexual advances or requests for sexual favors affecting term or condition of employment;
2. Basing an employment decision on submission or rejection by a staff member of unwelcome sexual advances, requests for sexual favors or verbal or physical contact of a sexual nature;
3. Creating an intimidating, hostile or offensive working environment or atmosphere either by:
 - a) verbal actions, including calling staff members by terms of endearment; using vulgar, kidding or demeaning language; or
 - b) physical conduct which interferes with a staff member's work performance.

It is also expressly prohibited for a staff member to retaliate against staff that bring sexual harassment charges or assist in investigating charges. Retaliation is a violation of this policy and may result in discipline, up to and including termination. No staff will be discriminated against, or discharged, because of bringing or assisting in the investigation of a complaint of sexual harassment.

If the individual has provided false information regarding the complaint, disciplinary action may be taken against the individual who filed the complaint or the individual who gave the false information.

XI. Sub-grantee Compliance: Sub-grantees are expected to be in compliance with state and federal environmental laws. The District will review compliance during the bi-annual site visit. Grant applications require sub-grantees to disclose any permits or regulations for the project, and the District will monitor each disclosure. The final 15% of sub-grantee project money will not be released if sub-grantee cannot meet compliance. 3, d

XII. Monitoring and Tracking of Sub-Grantee Assets: The District will monitor each sub-grantee project with a capital asset by doing bi-annual site visits and requiring the sub-grantee fill out an Annual Use Statement. Any equipment or assets which the District find in question will be visited on a more frequent basis, as directed by the Executive Board, ensuring the assets are not being misused. Sub-grantee contracts will state the equipment may only be used for the original waste reduction intent during the grant period. 3, e

XIII. MBE/WBE Solicitation: The District will solicit as many MBE/WBE bids as possible throughout the year. Every attempt to contact a MBE/WBE firm should be made. If none are available, the District will document those efforts. 4, a

XIV. Year-end Purchases Cut-off: The District will only make purchases for the Fiscal Year starting July 1 and ending June 30 of any given year. Any payable invoice or receipt must be dated on or prior to June 30. 5, a

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10. a **XV. Projects Beginning Prior to Funding Approval:** The District will not fund any projects which have begun prior to grant approval. All projects must start after District and SWMP approval. Any projects started prior to approval will be considered ineligible.

11. a **XVI. UCC Filing:** The District will fill a UCC-1 as soon as the sub-grantee requests reimbursement for the equipment. Before the payment is released, the sub-grantee must have provided the appropriate information to the District which will allow the UCC-1 to be obtained.

12. a **XVII. Sub-grantee Proof of Insurance:** The District will require sub-grantees to submit proof of insurance before project reimbursement. Once proof of insurance has been submitted, the District may release payment. When the grant cycle has closed, sub-grantees will be required to submit proof of insurance with the annual equipment use statement.

17. a **XVIII. Competitive Bidding:** The district and all sub-grantees will comply with RSMo 34.040 when using Solid Waste Management Program monies to make purchases or enter into contractual agreements with other firms.

To paraphrase this statute:

Purchases of \$0-\$2,999.00	DO NOT REQUIRE BIDS.
Purchases of \$3,000.00-\$24,999.99	REQUIRE A MINIMUM OF THREE (3) COMPETITIVE BIDS, BUT DO NOT HAVE TO BE ADVERTISED.
Purchases of \$25,000.00 or Higher	REQUIRE A MINIMUM OF THREE (3) COMPETITIVE BIDS, ADVERTISED IN AT LEAST TWO DAILY NEWSPAPERS AT LEAST FIVE DAYS BEFORE BID OPENING.

If less than three competitive bids are received, documentation will be submitted to show proper bid procedures were followed. Sole source items will need to submit documentation no other providers exist.

Proposed Procedures for the Northwest Missouri Regional Solid Waste Management District

I. Monitoring and Tracking of Sub-Grantee Assets: The District will monitor each sub-grantee project with a capital asset by doing bi-annual site visits and requiring the sub-grantee fill out an Annual Use Statement. If any suspicions of misuse of the equipment occur, the Executive Board should be notified immediately for action. 32

II. MBE/WBE Solicitation: The District will solicit as many MBE/WBE bids as possible throughout the year. If it is not possible to find any MBE/WBEs who can provide the service, it must be documented how the District tried to contact those individuals and keep record of that in the solicitation file, which the fiscal officer should keep. 4e

III. Year-end Purchases Cut-off: The District will only use funds from each fiscal year, for those dates that fall within the time frame of July 1 to June 30. Any payable invoices/receipts must be dated on or before June 30 to receive reimbursement. 5a

IV. UCC Filing: The District must request a serial number and the make/model of the equipment with the first payment request so a UCC-1 can be filed as soon as payment is requested. 11. a

V. Sub-grantee Proof of Insurance: Proof of Insurance will be obtained annually on all equipment or capital assets. This will be obtained in conjunction with the Annual Use Statement. The first year, proof of insurance must be provided with the initial request for payment. 12. a

VI. Board Minutes: The District will have official minutes taken at all meetings in accordance with the Missouri Sunshine Law. Minutes will include, but are not limited to, open or closed notice, location, members present and members absent, records of all votes, date and time of the meeting, approval of minutes, signature, attached sign-in sheets, and all meeting details. 14. a

VII. Annual Statement of Use: The District will obtain an Annual Use Statement for all equipment which has a UCC-1 and any other capital assets with a value over \$5,000. This will be obtained at the bi-annual inspections along with insurance every other year. In the off years, the District will contact the sub-grantees to have those items submitted until the term of the grant has expired. 16. a

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