



Monroe County Water Authority

Memorandum

To: MCWA Governance Committee*

Date: May 26, 2022

From: Nicholas Noce, Executive Director

Copy: S. Nasca, Ex-Officio
D. Hendrickson

Subject: Meeting Scheduled **Thursday, June 2, 2022 at 8:30 a.m.**

Attached is the agenda for the Thursday, June 2, 2022 meeting of the Governance Committee.

There are several policies that need to be reviewed and recommended to be addressed at the June 9th Board meeting. These policies are attached for the Committee to review and include:

- Service Awards Program
- Food Reimbursement Policy
- Travel Expense Reimbursement Policy
- Time and Attendance – Compensation for Executive Director & Dept Heads
- Time and Attendance – Compensation for Management Employees
- Mobile Communications Devices Policy
- Whistleblower Policy

The Executive Staff has reviewed each of these policies listed and have suggested readopting the policies as is.

The last item on the agenda is to discuss and confirm the date for next Governance Committee meeting.

If you have any questions, please feel free to contact me. Please inform Diane or me if you are unable to attend the June 2nd meeting. Thank you.

NN/dlh
Attachment

*Committee Members:
Sheryal A. Volpe, Chairperson
Marcia Van Vechten
Sheila R. Mason

MONROE COUNTY WATER AUTHORITY
POLICY REGARDING SERVICE AWARDS PROGRAM
READOPTED JUNE 2022 ~~JUNE 2021~~

The following paragraphs set forth the policy for establishing a Service Awards Program by the Monroe County Water Authority (the “Authority”).

1. **Purpose.** The Authority can provide quality service to its ratepayers only if it has competent, committed and dedicated employees. The Authority must, therefore, ensure that its employees have suitable working conditions and excellent morale. One way to obtain these results is to formally recognize the superior efforts of the Authority’s employees.

2. **Policy.** The Authority hereby adopts a formal policy designed to recognize the outstanding achievements of its employees. This policy creates a program of service awards designed to acknowledge an employee’s longevity and dedicated service. Highlights of the program include:
 - Service awards shall give Authority management a tool to recognize ongoing employee dedication, as well as a means to acknowledge, retain and reinforce employee performance and commitment.

 - In general, the service awards program shall recognize an employee’s continued service in increments of five years. The value of the awards shall increase in proportion to an employee’s tenure.

 - The Executive Director may, in special circumstances, recognize an employee’s extraordinary service. The purpose of such an award would be to acknowledge a specific achievement or accomplishment.

3. **Procedure & Implementation.** The following sets forth procedures for identifying and rewarding deserving employees:
 - The Human Resources Department shall identify deserving employees.

 - The Executive Director shall select appropriate awards and determine the time and method for presenting them to the employees.

 - In fulfilling his or her duties, the Executive Director shall weigh the need for employee awards against the Authority’s financial situation so that any awards are reasonable in light of the facts and circumstances existing at that time.

4. **Covered Employees.** The service awards program shall apply to any full-time or part-time employee working 20 hours or more. The program shall not include probationary trainees and temporary employees.
5. **Awards Ceremonies.** Any expenses incurred for service award ceremonies must (i) comply with the Authority's Food Reimbursement Policy, including approval in advance by the Executive Director and the Director of Finance & Business Services and (ii) be reasonable in nature.

MONROE COUNTY WATER AUTHORITY
FOOD EXPENDITURE AND REIMBURSEMENT POLICY
(READOPTED ~~JUNE 2022~~ ~~JUNE 2021~~)

Officers, employees and Members of the Monroe County Water Authority (the “Authority”) may from time to time incur food and beverage expenses. The Authority will pay or reimburse such expenditures only to the extent they are necessary and in furtherance of the Authority’s public mission. The following policy sets forth certain guidelines that must be followed in order to claim such expenses.

1. Authorization – Whenever possible, expenses (or an estimate) must be approved in writing and in advance using the MCWA Food Expenditure Request & Reimbursement Form. All employee requests shall require the approval of a Supervisor and, once approved, by the appropriate Department Head. All requests by Department Heads or Members shall require the approval of the Executive Director. Requests by the Executive Director shall require the approval of the Chairman of the Board of Directors or Secretary to the Authority. Exceptions may be made for emergencies or other unforeseen circumstances, but shall require approval after the fact by the appropriate person(s). (NOTE: Out-of-pocket expenses paid by cash or personal credit card will be reimbursed upon completion and approval of the Food Expenditure Request & Reimbursement Form.)

2. Permissible Expenses – The following guidelines apply to all food and beverage expenses.

- a. Food and beverages must be provided as part of an official meeting involving Authority personnel.
- b. Items served at meetings during traditional mealtime hours are eligible for payment or reimbursement provided there is a pressing need to conduct official business during those hours.
- c. No food or beverage expenses will be paid or reimbursed to Authority personnel who meet on routine business matters.
- d. The amount of the expense must be reasonable and may not include alcoholic beverages.

3. Awards Ceremonies – Expenses incurred as a result of an awards ceremony will be considered a permissible expense provided the following guidelines are met:

- a. All expenses must comply with MCWA’s Policy Regarding Service Awards Program.
- b. All awards must follow the procedures in Section 1 of this policy, including an explicit statement that such expenditure is for an employee award ceremony.

4. Applicability – This policy is intended to provide a framework for the payment of, or reimbursement for, food and beverage expenses under certain circumstances. The guidelines set forth herein may not, however, cover every situation. If there are any questions regarding the applicability of this Policy to a particular expenditure, the questions should be sent to the Director of Finance who will make a final determination.

MONROE COUNTY WATER AUTHORITY
POLICY REGARDING ACQUISITION AND ASSIGNMENT OF
MOBILE COMMUNICATION DEVICES
READOPTED JUNE 2022 ~~JUNE 2021~~

The following paragraphs set forth the policy for acquisition and assignment of mobile communication devices (“MCD’s”) by the Monroe County Water Authority (the “Authority”).

1. **Business Purpose.** The Authority conducts business in Monroe County and portions of each adjacent county. To facilitate communication with and between its employees, the Authority regularly acquires and issues to authorized employees various MCD’s. For purposes of this policy, the term “mobile communication devices” includes cellular telephones, personal digital assistants, and similar electronic devices.
2. **Authorization.** Each Department Head shall determine for each employee whether such person’s work assignment and duties require regular communications with the Authority, other employees or third parties, and whether providing such employee with a MCD would facilitate the business purposes of the Authority.
3. **Employee MCD Selection Options.** After authorization by the Department Head, the employee will have two choices;

Option 1: MCWA-Owned MCD - The Authority will authorize assignment of a MCWA-owned device to such employee. Under this option, the MCWA-owned MCD may be used for business purposes only. Personal use of a MCD may result in disciplinary action.

MCD Assignment: The employee will submit the completed and approved Mobile Communication Device Authorization Form to the Purchasing Agent to be assigned a MCD (or to maintain an existing MCD).

MCD Usage: The Authority shall issue MCD’s for business-related purposes and reserves the right to cancel MCD service and recover MCD’s at any time.

Monitoring MCD Usage: The Director of Finance or the Assistant to the Executive Director shall establish such procedures or guidelines as may be necessary to carry out this policy. Such procedures shall include (i) a process for monitoring the MCD usage to ensure that the employee has no personal usage, and (ii) periodic evaluations of whether MCD’s previously issued continue to be needed and whether the rate plans previously selected continue to provide value.

Option 2: Employee-owned MCD with MCD Allowance - The employee may elect to maintain and use his/her personal MCD for business-related purposes and be eligible for an MCD monthly allowance. The allowance is based on a portion of MCWA’s contract rate. The employee’s MCD allowance is considered a working condition fringe benefit and currently is tax exempt.

The employee may elect to assume the contract of an existing MCWA phone number or may work with the service carrier of his/her choice to obtain service.

Application for Allowance: The employee will submit the completed and approved **Mobile Communications Device Allowance Authorization Form** to the Human Resources department to set up payment.

Payment will be made as an addition to the employee's regular salary payment. Payment for monthly service allowance will be once a month. Note that the allowance does not constitute an increase in base pay and will not be included in any percentage calculations for increasing the employee's salary base.

Notice of Change: Once it is determined that the allowance is authorized and payment starts, the employee is required to notify his/her supervisor if the phone number changes.

Purchase of MCD Equipment: The employee is responsible for the purchase of MCD equipment (MCD, charger, ancillary equipment, etc.).

4. **Department Responsibilities and Documentation Requirements.** Regardless of the MCD option chosen by the employee, Human Resources must maintain a file containing the original of each MCD Authorization Form. It is the Department Head's responsibility to review MCD needs in his/her department on an annual basis.

MONROE COUNTY WATER AUTHORITY
WHISTLEBLOWER POLICY
READOPTED ~~JUNE 2021~~ JUNE 2022

The Monroe County Water Authority (the “Authority”) provides whistleblower protection that complies with Section 75-b of the New York Civil Service Law and the recommendations of the New York State Authorities Budget Office.

ARTICLE 1
DEFINITIONS

These terms have the meanings set forth below:

1. Authority employee

Any Member, officer and employee employed at the Authority, whether full-time, part-time, employed pursuant to contract, employees on probation and temporary employees.

2. Ethical violation

Any instance of conduct prohibited under the Authority’s Code of Ethics Policy or other misconduct, malfeasance, or inappropriate behavior by an Authority employee.

3. Good faith

Information concerning potential wrongdoing is disclosed in “good faith” when the Authority employee making the disclosure reasonably believes such information to be true and reasonably believes that it indicates potential wrongdoing.

4. Personnel action

Any action affecting compensation, appointment, promotion, transfer, assignment, reassignment, reinstatement or evaluation of performance.

5. Whistleblower

Any Authority employee who in good faith discloses information to the Authority or another governmental body concerning wrongdoing by another Authority employee, or concerning the business of the Authority itself.

6. Wrongdoing

Any alleged corruption, fraud, criminal or unethical activity, misconduct, waste, conflict of interest, intentional reporting of false or misleading information, or abuse of authority engaged in by an Authority employee that relates to the Authority.

ARTICLE 2
REPORTING WRONGDOING

All Authority employees who discover or know about potential wrongdoing concerning: (i) another Authority employee; (ii) a person having business dealings with the Authority; or (iii) the Authority, and who seek to disclose such information must do so in accordance with the following procedures:

1. An Authority employee seeking to disclose wrongdoing must disclose any information concerning such wrongdoing either orally or in a written report to a supervisor, the Authority's independent Ethics Board, the Authority's attorneys or a human resources representative. If an Authority employee believes in good faith that disclosing information concerning wrongdoing within the Authority would be wholly ineffective or lead to an adverse personnel action, he or she may instead disclose such information to the New York State Authorities Budget Office (toll free number 1-800-560-1770) or, if applicable, a law enforcement agency.
2. All Authority employees who discover or know about wrongdoing will report such wrongdoing in a prompt and timely manner.
3. To the greatest extent possible, the Authority will keep confidential the identity of the whistleblower and the substance of his or her allegations.
4. Authority personnel and advisors who receive reports of wrongdoing will investigate and handle the claim in a timely and reasonable manner, which may include referring such information to the Authorities Budget Office or, if applicable, a law enforcement agency.

ARTICLE 3
NO RETALIATION OR INTERFERENCE

1. No Authority employee will retaliate against any whistleblower for disclosing potential wrongdoing, whether by threat, coercion, or abuse of authority.
2. No Authority employee will interfere with the right of any other Authority employee by any improper means aimed at deterring disclosure of potential wrongdoing.
3. No whistleblower will suffer harassment, retaliation or adverse personnel action. Any attempts at retaliation or interference against a whistleblower are strictly prohibited.
4. The Authority or other appropriate body will thoroughly investigate all allegations of retaliation against or interference with a whistleblower seeking to disclose potential wrongdoing.
5. Any Authority employee who retaliates against a whistleblower or attempts to interfere with a whistleblower's attempted disclosure will be subject to discipline by the Authority, which may include termination of employment.

6. Irrespective of the outcome of the initial complaint, the Authority will treat any allegation of retaliation or interference by an Authority employee as a separate matter to be taken and treated seriously.

**ARTICLE 4
OTHER LEGAL RIGHTS NOT IMPAIRED**

This Whistleblower Policy is not intended to limit, diminish or impair any other rights or remedies that an Authority employee may have under the law regarding disclosing potential wrongdoing free from retaliation or adverse personnel action, including but not limited to: Section 75-b of the New York Civil Service Law, Section 740 of the New York Labor Law, Section 191 of the New York State Finance Law, and Section 55(1) of the New York Executive Law.

Regarding any rights or remedies that an Authority employee may have under Section 75-b of the New York Civil Service Law or Section 740 of the New York Labor Law, any Authority employee who wishes to preserve such rights must (prior to disclosing information to the Authority or other government body) have made a good faith effort to provide the “appointing authority” (as defined in Section 2(9) of the New York Civil Service Law) or his or her designee the information to be disclosed, and must provide the appointing authority or designee a reasonable time to take appropriate action unless there is imminent and serious danger to public health or safety.

**ARTICLE 5
DISTRIBUTION OF THIS POLICY**

The Authority will distribute this Whistleblower Policy annually to each Member, officer and employee and to each new Member, officer and employee as soon as practicable following commencement of such position.

MONROE COUNTY WATER AUTHORITY
TRAVEL & EXPENSE REIMBURSEMENT POLICY
READOPTED JUNE 2022 ~~JUNE 2021~~

Requests for travel and overnight stays must be preapproved for reimbursement. For travel that does not include overnight stays, see 'Local Seminar Travel and Expense Reimbursement' policy.

Only the actual and necessary expenses essential to the ordinary comforts of a traveler in the performance of their official duties will be reimbursed with the exception of meals, as referenced below.

All air travel shall be reimbursed at coach fare rates. If other than coach fare is necessary, prior approval is required from the Executive Director.

The corporate credit card can be used to secure travel arrangements such as car rental, hotel reservations, etc.

Only expenses essential to the conduct of business will be reimbursed. Some non-reimbursable items include travel insurance, unauthorized travelers and miscellaneous transportation expenses (e.g. to and from restaurants).

Submitting fraudulent receipts or falsifying your expense report will result in loss of your reimbursement privileges, termination or other disciplinary action as determined appropriate by the Executive Director.

The Executive Director may approve exceptions to this policy for emergency situations or extenuating circumstances.

Travel Authorization Form

1. Complete **Estimate of Expenses** section of Form.
2. Obtain approval from immediate Supervisor, Department Head and Executive Director (Executive Director's approval is only required for travel over \$500).
3. Reimbursement may be requested prior to traveling for out-of-pocket expenses paid by cash or personal credit card upon completion and approval of the Form.
4. Complete within fifteen (15) days of your return the **Actual Expenses** section of the Form and submit it to your supervisor for review and approval.

Note: Parking violations are not reimbursable expenses. Traffic citations and other moving violations are not reimbursable expenses.

Transportation

Mileage is never reimbursed for an employee to travel to the primary work site (the location where an employee is assigned to report for work on each day or each call-out) either during the normal work week or on overtime. Reimbursement is available with the following:

- Personally owned vehicle traveling to other locations required by the Employer for business purposes shall be reimbursed for mileage at the established rate.
- Parking charges and tolls are reimbursed when either the employee:
 - Attaches the applicable receipt or,

- Attests to the receipt's misplacement or,
- Attests to the location of the street parking meter (when a receipt is unavailable).
- Rental Car reimbursement requires:
 - Executive Director's approval *prior* to any travel.
 - Expenses recorded in the Actual Expenses section.
 - Verbal authorization from the Executive Director if an unexpected need arises during the course of travel.
 - Rental cars should be returned to original rental location in order to avoid costly drop-off charges.
 - Additional collision insurance offered by the rental company should be purchased with the rental.
- Airfare and Baggage Fees
 - Every effort should be made to obtain the lowest airfare for coach flights.
 - Standard minimum baggage fees for up to two bags within weight limits will be reimbursable.
 - Electronic tickets carry a dollar value. Therefore, all canceled trips must be reported immediately.
 - Cancellations must be made prior to departure day in time to avoid unnecessary costs.
- Taxi/Shuttle/Public Transportation
 - Employees should evaluate their individual circumstances and select the safest, most economical mode of transportation when traveling to and from all destinations.
 - Business-related taxi/shuttle and public transportation expense reimbursement request (with purpose) must be accompanied by a receipt.

Meals

Current federal per diem rates determine meal and incidental expenses. Actual expenses for meals and incidental expenses are not reimbursable. Business meals which meet the Food Expenditure and Reimbursement Policy criteria may be reimbursed per policy.

Any missed meals may be reimbursed.

Per diem rate is the federal per diem and is divided into breakfast, lunch, and dinner payments in prorated payments for partial days travel. Further reductions in the per diem (based upon the above segmentation) are made for meals included as an integral part of the cost of any seminar, or hotel cost, or paid for by others. The per diem rates include gratuities. See Finance/Business Services Department for current breakdown of federal per diem rates.

Overnight travel only (first and last day only):

Time Schedule Meal Rate

Leave before 7:30 a.m. – Breakfast Per Diem

Travel through 1:00 p.m. – Lunch

Return after 5:30 p.m. – Dinner

Lodging

Every attempt should be made to stay in the hotel hosting the conference or meeting and pay conference room rate.

Actual lodging cost (based on receipts) is reimbursed and limited to a single occupancy rate for a standard room. All accommodations in route or at a meeting location must be essential to the conduct of business and not at the convenience of the employee. (The Executive Director approves all exceptions in advance.)

The traveling employee should carry:

- Their employee identification badge to help secure special government rates.
- The Tax Exemption Certificate and present it during hotel check-in. This sales and occupancy tax exemption applies to all hotels in New York State.

Registration

The employee is encouraged to pursue discounted prepayment, group, or association member rates when registering for a meeting. A check from Accounts Payable or the corporate credit card can be used for prepayment.

Miscellaneous Charges

Receipts for other business purposes, to be considered for reimbursement, should be attached to the Travel Authorization Form.

Travel Advances

In case of financial hardship, an advance for out-of-state travel may be granted by the Executive Director. However, advances should be rare and only used in extreme circumstances. The request should be made in writing with ample time to approve and advance a check.

Family Member/Spouse/Guest Travel

When a family member/spouse/guest joins an employee on official travel, the employee will be responsible to pay all travel costs, including airfare and meals of the family member/spouse/guest.

MONROE COUNTY WATER AUTHORITY
POLICY REGARDING TIME AND ATTENDANCE FOR EXECUTIVE
STAFF READOPTED JUNE 2022 ~~JUNE 2021~~

Time and Attendance

The Executive Staff shall devote their full time, skills, labor and attention to their employment with the Water Authority. As such, the Executive Staff shall be present at the Water Authority during regular business hours pursuant to the Water Authority's attendance policies and practices for employees, unless their normal duties require them to be off premises, and at all other times and locations as needed to carry out their duties. Additionally, with the prior approval of the Executive Director Executive Staff may undertake consultative work, speaking engagements, writing, lecturing, or other professional duties, obligations and activities, with or without remuneration, so long as such activities do not interfere with the full and faithful discharge of their duties and obligations as an employee of the Water Authority. Executive Staff will keep the Executive Director informed regarding such activities. When the employee seeking to undertake such activities is the Executive Director, then he or she shall obtain the advance written approval of the Board.

MONROE COUNTY WATER AUTHORITY
POLICY REGARDING COMPENSATION AND REIMBURSEMENT FOR EXECUTIVE STAFF
READOPTED JUNE 2022 ~~JUNE 2021~~

Compensation and Reimbursement

The Executive Staff shall receive fair and reasonable compensation and benefits based upon the actual services provided by the employee as determined and reviewed by the Board consistent with Water Authority policies.

When direct payment by the Water Authority is not possible, the Executive Staff shall be reimbursed for the actual amount incurred in connection with their activities for and on behalf of the Authority, including reasonable amounts expended for travel, lodging and meals in connection with conferences, seminars and similar matters (consistent with the Travel Policy) which are approved in advance by the Board and appropriated in the Water Authority budget.

MONROE COUNTY WATER AUTHORITY
POLICY REGARDING TIME AND ATTENDANCE FOR MANAGEMENT EMPLOYEES
READOPTED JUNE 2022 ~~JUNE 2021~~

Time and Attendance

All management employees shall devote their full time, skills, labor and attention to their employment with the Water Authority. As such, all management employees shall be present at the Water Authority during regular business hours pursuant to the Water Authority's attendance policies and practices for employees, unless their normal duties require them to be off premises, and at all other times and locations as needed to carry out their duties. Additionally, with the prior written approval of the Executive Director, all management employees may undertake consultative work, speaking engagements, writing, lecturing, or other professional duties, obligations and activities, with or without remuneration, so long as such activities do not interfere with the full and faithful discharge of their duties and obligations as an employee of the Water Authority. All management employees will keep the Executive Director informed regarding such activities.

MONROE COUNTY WATER AUTHORITY
POLICY REGARDING COMPENSATION AND REIMBURSEMENT FOR MANAGEMENT EMPLOYEES
READOPTED JUNE 2022 ~~JUNE 2021~~

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