

PERSONNEL, ADMINISTRATION & HIGHER EDUCATION COMMITTEE

AGENDA

MARCH 28, 2025

**Committee Members:** *Wild, Driscoll, Etu, Maday, Bean, Patchett, and Merlino- Chair of the Board shall serve as an Ex-Officio member when needed in accordance with Section C(4) of the Rules of the Board*

- I. Committee meeting called to order by Chair.
- II. Motion to approve minutes of prior Committee meetings.
- III. Privilege of the Floor/Public Comment
  
- IV. Action Agenda
  - 1) **SUNY Adirondack representatives to provide and update on the College.**
  - 2) **Request/Item to be Discussed by the Human Resources Director (Jackie Figueroa, Director):**  
Review of report on tracking of vacancies filled.
  - 3) **Requests/Items to be Discussed by the Clerk of the Board (Amanda Allen, Clerk):**
    - A) Request to appropriate \$986.23 from Budget Code A.909.00, *General Fund Unappropriated Surplus*, to Budget Code A.1010 210, *Legislative Board, Furniture/Furnishings*, to return 2024 funding that was returned to the General Fund when a purchase order for the purchase of office chairs was mistakenly liquidated.
    - B) Request to amend Resolution No. 69 of 2025, *Adopting the Warren County Meeting, Conference and Job Training Policy*, to: authorize certain designees to provide authorizations when Department Head/County Administrator/Committee Chair/Chair of the Board are unavailable; adjust authorization form to indicate Department Head signature is always necessary to approve travel/training; and to make clerical adjustments.
  - 4) **Request/Item to be Discussed by the Director of Information Technology (Mike Colvin, Director):**  
Request to amend the Table of Organization and Salary Schedule to create the new position of Computer Help Desk Tech II #5, *Annual Salary \$71,603*, and delete the position of Programmer I, *Annual Salary \$71,603*, effective April 21, 2025.
  - 5) **Request/Item to be Discussed by the County Treasurer (Christine Norton, County Treasurer):**  
Request to amend the Table of Organization and Salary Schedule to create the new position of Deputy Treasurer- Per Diem, *hourly rate of \$97.58 - maximum of \$35,000 annually (current hourly rate \$76.5345)*, effective May 19, 2025. ***Note: Request must also be approved by the Finance & Budget Committee as the proper oversight Committee for the County Treasurer.***
  - 6) **Requests/Items to be Discussed by the County Attorney (Larry Elmen, County Attorney):**  
**Action Agenda/New Business Items:**
    - A) Request to approve proposed Warren County Smoking, Tobacco and Cannabis Use Policy referred from the Warren County Risk & Safety Committee. Updates to the smoking and tobacco policy are required to account for legalization of cannabis to comply with NYS Clean Indoor Air Act and to provide a glossary of essential definitions, as well as to rescind all prior smoking and tobacco policies. The Warren County Risk & Safety Committee prepared and approved the attached policy.
    - B) Request to approve proposed Warren County Substance Abuse Policy referred by the Warren County Risk & Safety Committee. Updates to the Substance Abuse Policy are necessary to account for legalization of cannabis, set forth reasonable suspicion testing and standards, and provide a glossary of essential terms, as well as to rescind all prior Substance Abuse Policies.
  
- V. **Pending Items:**  
No Items this Month.
  
- VI. Privilege of the Floor/Public Comment
  
- VII. Motion to adjourn

2025 - NOTICE OF INTENT TO FILL TRACKING

Approval Date	Department	Position	Incumbent	Reason for Vacancy *	Incumbent Salary	Salary Approved	Date Filled	Hire	Salary Hired	Approved vs. Hired	Incumbent vs. Hired
10/10/2024	Veteran's Services	Veteran's Benefits Counselor (2690)	Cooke	RS	\$ 48,790.00	\$ 47,404.00	vacant				
10/10/2024	Real Property	GIS Tax Map Technician (2768)	Tilly	RS	\$ 57,962.00	\$ 57,962.00	vacant				
11/1/2024	Social Services	Community Services Worker # 4 PT (2830)	N/A	N	N/A	\$ 46,004.00	vacant				
11/7/2024	DPW	MEO (L) # 17 (1250)	Livingston	PR	\$ 49,545.00	\$ 44,418.00	2/10/2025	Hammond	\$45,751.00	\$ 1,333.00	\$ (3,794.00)
11/8/2024	DPW	MEO (L) # 5 (1264)	Stockman	PR	\$ 43,187.00	\$ 44,418.00	vacant			\$ -	\$ -
11/19/2024	Social Services	Support Investigator # 1 (1740)	Granger	O	\$ 55,855.00	\$ 46,004.00	3/3/2025	Collins	\$47,384.00	\$ 1,380.00	\$ (8,471.00)
12/2/2024	Social Services	Caseworker # 9 (1653)	York	RS	\$ 55,602.00	\$ 55,602.00	1/28/2025	Terry	\$57,270.00	\$ 1,668.00	\$ 1,668.00
12/20/2024	Social Services	Support Investigator # 5 (1739)	Johnson	PR	\$ 47,363.00	\$ 47,384.00	3/3/2025	Havill	\$47,384.00	\$ -	\$ 21.00
12/23/2024	Probation	Probation Officer Trainee # 1 (2384)	N/A	N	N/A	\$ 55,602.00	2/3/2025	McKinney	\$65,766.00	\$ 10,164.00	\$ -
1/6/2025	Social Services	Principal Account Clerk (1688)	Mammone	PR	\$ 61,566.00	\$ 50,497.00	vacant				
1/6/2025	Social Services	Sr. Caseworker # 3 (1681)	Mckinney	O	\$ 69,976.00	\$ 60,920.00	2/3/2025	Norton	\$69,976.00	\$ 9,056.00	\$ -
1/7/2025	Health Services	PHN # 15 (1553)	Murphy	RT	\$ 84,070.00	\$ 67,659.00	vacant				
1/10/2025	Probation	Senior Probation Officer # 4 (2387)	Gheen	RT	\$ 78,496.00	\$ 64,527.00	2/4/2025	Carrow	\$74,137.00	\$ 9,610.00	\$ (4,359.00)
1/24/2025	Public Defender	Coordinating Attorney - PD (2588)	Komon	PR	\$ 113,616.00	\$ 104,408.00	1/27/2025	Nichols	\$104,408.00	\$ -	\$ (9,208.00)
1/27/2025	Social Services	Caseworker # 35 (2408)	Davis	PR	\$ 59,754.00	\$ 57,270.00	2/10/2025	Smith	\$57,270.00	\$ -	\$ (2,484.00)
1/28/2025	Public Defender	5th Assistant Public Defender (1078)	Leahy	RS	\$ 92,613.00	\$ 95,391.00	2/10/2025	Terwilliger	\$95,391.00	\$ -	\$ 2,778.00
2/12/2025	County Clerk	Legal Record Clerk (1123)	Duers	O	\$ 47,130.00	\$ 45,751.00	vacant			\$ -	\$ -
2/12/2025	Social Services	Principal SWE # 3 (2222)	Whitted	O	\$ 68,589.00	\$ 55,800.00	3/4/2025	Rowland	\$67,089.00	\$ 11,289.00	\$ (1,500.00)
2/12/2025	DPW	MEO (L) # 3 (1249)	Monroe	PR	\$ 45,751.00	\$ 45,751.00	2/18/2025	Frasier	\$45,751.00	\$ -	\$ -
2/12/2025	Office for the Aging	Services Assistant OFA # 1 (2653)	McCarthy	RT	\$ 52,486.00	\$ 45,751.00	vacant			\$ -	\$ -
2/18/2025	Veteran's Services	Van Driver # 4 Per Diem (2481)	Nolin	RS	18.5091/hr	18.5091/hr	vacant			\$ -	\$ -
2/21/2025	DPW	MEO (M) # 24 (2209)	Secor	RS	\$ 48,826.00	\$ 48,826.00	3/3/2025	Russell	\$48,826.00	\$ -	\$ -
2/21/2025	DPW	MEO (M) # 26 (2420)	Kennedy	PR	\$ 48,882.00	\$ 48,826.00	3/3/2025	Allison	\$48,826.00	\$ -	\$ (56.00)
2/25/2025	Board of Elections	Deputy Commissioner of Elections # 1 (1138)	Hubbard	PR	\$ 61,008.00	\$ 61,008.00	2/24/2025	Clesceri	\$61,008.00	\$ -	\$ -
2/25/2025	Health Services	Principal Account Clerk (1539)	Cote	RT	\$ 63,066.00	\$ 50,497.00	3/17/2025	Shrestha	\$51,954.00	\$ 1,457.00	\$ (11,112.00)
2/25/2025	County Clerk	MV License Registration Clerk # 10 (1117)	Sacco	RS	\$ 48,065.00	\$ 47,384.00	vacant			\$ -	\$ -
2/26/2025	DPW	Administrative Assistant # 2 (1152)	Molinari	RT	\$ 59,031.00	\$ 47,384.00	3/18/2025	Mahoney	\$47,384.00	\$ -	\$ (11,647.00)
2/26/2025	DPW	Cleaner # 6 (2143)	Goucher	RS	\$ 39,743.00	\$ 38,499.00	3/4/2025	Duval	\$38,499.00	\$ -	\$ (1,244.00)
2/28/2025	Workforce Development	E&T Coordinator (2614)	Yannaci	RS	\$ 48,065.00	\$ 47,384.00	3/10/2025	Milner	\$47,384.00	\$ -	\$ (681.00)
2/28/2025	Workforce Development	E&T Counselor II # 2 (2697)	Galeno	RS	\$ 55,013.00	\$ 51,890.00	vacant			\$ -	\$ -
3/3/2025	Probation	Probation Officer Trainee # 2 (2400)	Mallory	PR	\$ 43,968.00	\$ 57,270.00	vacant			\$ -	\$ -
3/4/2025	Social Services	Caseworker # 18 (1678)	Hayes	RS	\$ 59,754.00	\$ 57,270.00	vacant			\$ -	\$ -
3/4/2025	Social Services	Sr Caseworker # 4 (1657)	Norton	PR	\$ 69,976.00	\$ 60,920.00	2/3/2025	Davis	\$63,535.00	\$ -	\$ (6,441.00)
3/5/2025	Social Services	Senior SWE # 8 (1701)	Rowland	PR	\$ 61,856.00	\$ 51,192.00	vacant			\$ -	\$ -
3/5/2025	Social Services	Senior SWE # 6 (1728)	Connell	PR	\$ 58,760.00	\$ 51,192.00	vacant			\$ -	\$ -
3/5/2025	Social Services	Principal SWE # 2 (2599)	Groff	RT	\$ 67,589.00	\$ 55,800.00	vacant			\$ -	\$ -
3/7/2025	Social Services	Caseworker # 39 (2616)	Cozzens	RS	\$ 58,844.00	\$ 57,270.00	vacant			\$ -	\$ -
3/11/2025	Countryside	Institutional Aide # 8 (1866)	Rosson	RS	\$ 41,036.00	\$ 39,190.00	3/17/2025	Lyng	\$39,190.00	\$ -	\$ (1,846.00)
3/11/2025	Social Services	Social Services Attorney (1684)	Cross	RS	\$ 103,149.00	\$ 94,385.00	vacant				
3/14/2025	Veteran's Services	Office Specialist (2425)	Harris	O	\$ 55,678.00	\$ 45,751.00	vacant				
3/19/2025	Health Services	Senior Account Clerk # 1 (1538)	Shrestha	PR	\$ 47,124.00	\$ 45,751.00	vacant				
3/19/2025	Public Defender	6th Assistant Public Defender (2380)	Nicols	PR	\$ 94,835.00	\$ 94,835.00	vacant				
									<b>Totals:</b>	<b>\$45,957.00</b>	<b>\$ (58,376.00)</b>

\* (RT= Retired, RS= resigned, PR= promotion, O= Other, N- New)

## ***RESOLUTION REQUEST FORM NO. 20***

### ***MISCELLANEOUS***

***\*Please List All Other Requests Not Covered by Previous Resolution Request Forms Here.  
Please attach any backup information available and be as detailed as possible.***

**DEPARTMENT NAME:**

(a) Purpose of Request:

(b) Details:

(c) Previous Resolution Number:

(d) Where are the Funds (if required)? List Budget Code, Object Code, Full Title\* and Amount:

**Sample: A.8021 470 Planning & Community Development – Contract**

\* as listed in budget and LOGOS

**RESOLUTION REQUEST FORM NO. 20**

**MISCELLANEOUS**

*\*Please List All Other Requests Not Covered by Previous Resolution Request Forms Here.  
Please attach any backup information available and be as detailed as possible.*

**DEPARTMENT NAME: CLERK OF THE BOARD**

**DATE: MARCH 28, 2025**

- (a) Purpose of Request:  
**To amend Resolution No. 69 of 2025, Adopting the Warren County Meeting, Conference and Job Training Policy**
  
- (b) Details:  
**See attached red-lined version. Updates requested will: authorize certain designees to provided authorizations when Department Head/County Administrator/ Committee Chair/Chair of the Board are unavailable; adjust authorization form to indicate Department Head signature is always necessary; as well as to make clerical adjustments.**
  
- (c) Previous Resolution Number:  
**R69/2025**
  
- (d) Where are the Funds (if required)? List Budget Code, Object Code, Full Title\* and Amount:  
**N/A**

**Sample: A.8021 470 Planning & Community Development – Contract**

\* as listed in budget and LOGOS

# Warren County Board of Supervisors

## RESOLUTION NO. OF 2025

**RESOLUTION INTRODUCED BY SUPERVISORS WILD, DRISCOLL, ETU, MADAY, BEAN, PATCHETT AND MERLINO**

**AMENDING RESOLUTION NO. 69 OF 2025, ADOPTING THE WARREN COUNTY MEETING, CONFERENCE AND JOB TRAINING POLICY, TO PROVIDE AUTHORITY FOR CERTAIN DESIGNEES TO PROVIDE AUTHORIZATION, AS WELL AS TO UPDATE COORDINATING AUTHORIZATION FORMS APPROPRIATELY**

WHEREAS, by Resolution No. 69 of 2025, the Board of Supervisors adopted the Warren County Meeting, Conference and Job Training Policy, and

WHEREAS, subsequent to adoption, certain necessary adjustments were identified as being necessary to allow the designees of Department Heads, the County Administrator, Committee Chairs and the Chair of the Board to act in the absence of the authorized signatories, and

WHEREAS, the Clerk of the Board has presented the requested adjustments to the Personnel, Administration & Higher Education Committee and the same were approved and referred to the Board of Supervisors for consideration, now, therefore, be it

RESOLVED, that the Warren County Meeting, Conference and Job Training Policy, annexed hereto as Schedule "A," be, and the same hereby is, updated and adopted as the official policy for Warren County, and be it further

RESOLVED, that any and all prior Warren County Meeting, Conference and Job Training Policies, Resolutions or parts thereof inconsistent with the annexed Warren County Meeting, Conference and Job Training Policy are hereby repealed effective April 11, 2025

**RESOLUTION No. OF 2025**

PAGE 2 OF 4

**SCHEDULE "A"****Warren County Meeting, Conference and Job Training Policy****I. Policy**

The Board of Supervisors encourages County officers and employees to participate in job-related conferences, workshops and training to learn and develop skills and knowledge to apply to daily tasks and responsibilities, network and connect with industry leaders and counterparts in other municipal organizations, and to empower professional development throughout the County workforce. Warren County officers and employees shall comply with the requirements of the County Meeting, Conference and Job Training Policy when pursuing potential meeting, conference, and job training opportunities and shall comply with the approval processes and travel requirements set forth by this Policy. All County officers and employees represent the County of Warren, and our residents, when traveling and attending meetings, conferences and job-related trainings and shall conduct themselves as representatives of the County at all times.

**II. Policy Definitions**

**Approval Authority:** Department Head approval authority shall be the Chair of the Board of Supervisors, or their designee, for members of the Board of Supervisors.

**Continuing Education Credits:** Courses taken to comply with educational requirements for continuing certification for a professional license or other license issued by New York State Office of the Professions.

**County Vehicle:** A vehicle owned, operated, leased or rented by or for the County of Warren.

**Department Head:** Each elected and appointed County officer, or their designee, responsible for the administration of their respective departments, agencies and offices which collectively constitute the structure of the County's governmental operations.

**Employee:** An individual employed by the County on a part-time or full-time basis, as well as volunteers and interns.

**Incidental Expenses:** An expense related to fees and gratuities incurred while conducting County business.

**Job Training:** Training that materially pertains to an employee's job functions and excluding higher education courses which may result in the receipt of credits towards a college or graduate degree.

**Mass Transportation:** The transportation by airplane, bus, subway or train.

**Mileage:** Mileage from the location of the assigned County workplace to the meeting, conference or job training address using Google maps.

**Officer:** An individual given the title of Officer for the County of Warren.

**RESOLUTION No. OF 2025**

PAGE 3 OF 4

**III. General Transportation Guidelines**

County officers and employees shall use County owned vehicles for County business purposes and not personal vehicles, when practicable. The use of County vehicles to attend meetings, conferences and job-related trainings is governed by the **Warren County Motor Vehicle Use Program Policy**.

The following transportation guidelines apply to the vehicle usage by County employees when attending an offsite meeting, conference or job training.

1. Personal vehicles may be used if a County owned vehicle is unavailable but only with the prior permission of the Department Head.
2. Mass transportation should be used whenever there may be a cost savings unless such use would be impractical given the nature of the trip.
3. Mass transportation should be utilized for travel distances totaling six (6) hours or more.

**IV. Meeting, Conference, and Job Training Expenses and Travel Approval Procedures**

This County policy provides instruction on obtaining the permissions needed to attend meetings, conferences and/or job training as they directly relate to County business. Permissions for these activities must be obtained **prior** to any attendance or expenditure of funds.

Reimbursement for meetings, conferences, and job training will occur if the County criteria has been met in accordance with the following guidelines:

1. Meeting/conference/job training opportunities available to County officers and employees which do not require travel and where there is no cost to the County shall only require ~~the approval of the employee's Department Head~~ **approval or their designee**.
2. Meeting, conference, and/or job training opportunities available to County officers and employees whose total cost for the entire event (whether one session or multiple sessions) is **One Thousand Dollars (\$1,000.00) per person or less** including travel, registration fees, meal costs, and overnight accommodations, and for which the Department's budget contains sufficient funding for the total cost shall be approved by the Department Head, **or their designee, prior** to incurring the expense. **The Department Head, or their designee, will sign off on the authorization form regardless of the associated cost of meeting/conference/job training opportunities to memorialize their approval of same.**
3. Meeting, conference, and/or job training opportunities available to County officers and employees whose total cost for the entire event (whether one session or multiple sessions) is a total combined cost of **more than One Thousand Dollars (\$1,000.00) per person** including travel, registration fees, meal costs, and for which the Department's budget contains sufficient funding for the total cost shall be pre-approved using the attached "Authorization to Attend Meeting/Convention/Training" (Attachment "A" - Approval Form) submitted to their Department Head along with documentation detailing the associated costs and shall require the approval of the Department Head, County Administrator, and the appropriate supervisory Committee Chair, **or their designee, prior** to incurring the expense.
4. Meeting, conference, and/or job training opportunities available to County officers and employees which will cost the County any amount, and **for which the Department's budget does not contain**

**RESOLUTION No. OF 2025**

PAGE 4 OF 4

**sufficient funding for the total cost**, will require a Request for Transfer of Funds Form (Attachment “B”). This Request for Transfer of Funds Form shall be required to cover the unfunded cost of the meeting, conference, and/or job training opportunity and be submitted to the Department’s oversight committee, along with documentation detailing the associated costs, for approval by the Board of Supervisors **prior** to incurring the expense.

5. An officer or employee may obtain reimbursement for previously approved out of pocket expenses once the trip has been completed by submitted a completed Warren County Travel Voucher (Attachment “C”) along with original receipts, their Approval Form (as applicable), and a completed/approved County Purchase Order (as applicable).
6. **Authorization to Attend Meeting/Convention/Training documentation may also be provided electronically, if such capability becomes available in the future.**

**V. County Reimbursement Rate for Lodging, Meals and Incidental Expenses**

The U.S. General Services Administration Domestic Per diem Rates are to be used to determine the maximum reimbursement for lodging, meals and incidental expenses. A listing can be found at [www.gsa.gov](http://www.gsa.gov). This section shall not apply to limit the maximum reimbursement rate where the lodging and/or meals are provided at a facility that is the host of an approved meeting, conference, job-related training or is chosen because of its location proximate to the event and where the reimbursement is less than One Hundred Fifty Dollars (\$150.00) above the maximum daily GSA rate.

**VI. County Mileage Reimbursement**

The New York State reimbursement rate for employees using their own vehicles for County approved meetings, conferences and job-related training shall be based upon the mileage from the employee’s workplace to and from the location address of the meeting, conference and training based upon the standard mileage allowance established by the Internal Revenue Service and the U.S. General Services Administration (GSA).

**VII. Exceptions to this Policy**

County officers and employees shall use County owned or rented vehicles for County business purposes and not personal vehicles, when practicable. Personal vehicle usage shall be allowed under this policy subject to Department Head, **or their designee’s**, approval.

Meeting and travel expenses by County Supervisors, the County Administrator, Assistant County Administrator and Department Heads to attend New York State Association of Counties’ conferences do NOT need prior approval under this Policy, provided that the Department has budget appropriations for the expense and there is compliance with the GSA policy herein.

Attachments to this policy include the following:

**Attachment A: Authorization to attend Meeting/Conference/Training (Approval Form)**

**Attachment B: Request for Transfer of Funds**

**Attachment C: Warren County Travel Voucher**

**ATTACHMENT "A"**  
**AUTHORIZATION TO ATTEND MEETING, CONFERENCE OR TRAINING**  
*(Use if total cost > \$1,000 per person including all travel costs)*  
*(Must be approved by Department Head, County Administrator & Committee Chair)*

\_\_\_\_\_ is authorized to attend \_\_\_\_\_  
(Employee Name) (Name of meeting or organization)  
at \_\_\_\_\_ on \_\_\_\_\_  
(Address) (Dates)

**Notice of Meeting/Conference/Training including cost must be attached when submitting for approval**

Total Cost \$ \_\_\_\_\_ Budget Code: \_\_\_\_\_

**For Overnight Travel: (refer to [www.gsa.gov](http://www.gsa.gov) for current allowable rates)**

Room rate : \$ \_\_\_\_\_ GSA rate: \$ \_\_\_\_\_ Justification if over GSA rate: \_\_\_\_\_

Meal costs: \$ \_\_\_\_\_ GSA per diem rate \$ \_\_\_\_\_

Date: \_\_\_\_\_  
\_\_\_\_\_  
(Department Head Signature)

Date: \_\_\_\_\_  
\_\_\_\_\_  
(County Administrator Signature)  
*not required if total cost is less than \$1,000 per person*

Date: \_\_\_\_\_  
\_\_\_\_\_  
(Committee Chair Signature)  
*not required if total cost is less than \$1,000 per person*

Please refer to the Warren County Meeting, Conference and Job Training Policy for general policy guidelines.



Please utilize the B&G Car Reservation request portal to request a fleet vehicle.



**Filing Instructions:**

1. Original with Voucher to Auditor
2. Copy to Purchasing with Purchase Order, if required.
3. Copy to Clerk of the Board if County Credit Card will be used.

ATTACHMENT "B"

RESOLUTION REQUEST FORM NO. 10

Request for Transfer of Funds

TO: AMANDA ALLEN, CLERK, WARREN COUNTY BOARD OF SUPERVISORS

DEPARTMENT NAME:

SIGNED:

DATE:

<u>FROM CODE</u>	<u>TITLE</u>	<u>TO CODE</u>	<u>TITLE</u>	<u>AMOUNT</u>
------------------	--------------	----------------	--------------	---------------

Please state reason for transfers requested:

CONTINGENT FUND TRANSFER REQUESTS

<u>FROM CODE</u>	<u>TITLE</u>	<u>TO CODE</u>	<u>TITLE</u>	<u>AMOUNT</u>
------------------	--------------	----------------	--------------	---------------

A.1990 469	Contingent Account- Other Payments/Contributions			
------------	---	--	--	--

Please state reason for transfer request:

Please file original request with Clerk of the Board and retain copy for your records.



**RESOLUTION REQUEST FORM NO. 11****Request to Create New Position**

DEPARTMENT NAME: Information Technology

DATE: March 28, 2025

(a) Title of Requested Position: Computer Help Desk Tech II #5

(b) Annual **Base** Salary (and Grade if Applicable): ██████████ **\$71,603**

(c) Effective Date for New Position\*: 4/21/2025

*\*Please do not backdate unless the purpose is to correct an error.*(d) List Any Position in the Department's Table of Organization Being Deleted as a Result of this Request:  
(Include annual salary and grade if applicable):Programmer I, ██████████ **\$71,603**

(e) Where are Funds in the Budget for this Position?

List Budget Code, Object Code, Full Title and Amount:

A.1680 110

(f) Is a Budget Transfer needed?  YES  NO

If yes, please complete Resolution Request Form No. 10 – Transfer of Funds

If no, please provide details on how the increase will be funded with the current budget:

(g) Has Director of Human Resources Reviewed and Approved of the New Position Title?  YES  NO*(approval is necessary **BEFORE** bringing the request to Committee)*

HR Director Initial

~~AF~~ 3/21/25(h) Had County Administrator Reviewed and Approved Creation of New Position?  YES  NO*(approval is necessary **BEFORE** bringing the request to Committee)*

Co. Admin Initial

(i) Is this a mandated position?  YES  NO

If yes, please explain:

(j) Is there expected revenue from this position?  YES  NO

If yes, please explain and complete Resolution Request Form No. 07 – Amend County Budget to recognize revenue:

## COMPUTER HELP DESK TECHNICIAN II

**DISTINGUISHING FEATURES OF THE CLASS:** An employee in this position is responsible for coordinating and overseeing the daily operations and personnel assigned to the help desk. Duties include providing technical support for computer hardware and software, assisting with data networking activities, and training and assisting staff in the use of agency computer systems. Incumbents in this class train lower level Help Desk Staff and act in a lead capacity by guiding, advising and informing them of help desk procedures. This position is distinguished from the Computer Help Desk Technician I title by the experience required, and the “lead role” provided over lower level staff. Does related work as required.

**TYPICAL WORK ACTIVITIES:** (Illustrative only)

Manages help desk operations, including prioritizing requests for service, scheduling and assigning work, and evaluating completed work;  
 Supervises, trains and evaluates help desk staff;  
 Provides technical support to employees and officials using agency computer systems;  
 Trains staff in the use of software, including word-processing, database, spreadsheet and electronic mail software;  
 Provides Help Desk support for computer users for hardware and software;  
 Installs, customizes and tests desktop computing equipment and network communication equipment;  
 Communicates with vendors and other technical support personnel to aid in the solution of problems regarding desktop hardware and software;  
 Evaluates desktop computer hardware, software, services and supplies by determining user requirements, performing product and cost analyses, acquiring vendor information and product details, and developing and submitting equipment proposals;  
 Maintains a library of PC-related manuals, documentation, publications, etc.;  
 Keeps professional skills updated and consistent with current networking and desktop computing technology.

**REQUIRED KNOWLEDGE, SKILLS, ABILITIES AND ATTRIBUTES:**

Thorough knowledge of computer hardware, software, networks and peripheral equipment supported by the Information Technology Department;  
 Thorough knowledge of application software, including word-processing, database, spreadsheet, electronic mail, and networking software;  
 Good knowledge of network data communications hardware and protocols, excellent interpersonal and oral and written communication skills;  
 Ability to supervise the work of others;  
 Ability to establish effective working relationships with others;  
 Ability to effectively communicate technical information in an easily understood manner;  
 Ability to instruct others in the use of computers and computer software;  
 Ability to analyze and solve problems relating to desktop computer operations;  
 Ability to successfully work with and serve a diverse local community;  
 Versatility, reliability; Physical condition commensurate with the demands of the position.

**MINIMUM QUALIFICATIONS:**

- A) Associate's degree in computer science, computer technology or a closely related field and two (2) years of full-time paid experience, or its part-time paid equivalent, as a computer support specialist, network support specialist, microcomputer technician or equivalent position providing technical desktop computer and/or network support; or
- B) Graduation from high school or possession of a high school equivalency diploma and four (4) years of full-time paid experience, or its part-time paid equivalent, as a computer support specialist, network support specialist, microcomputer technician or equivalent position providing technical desktop computer and/or network support.

**NOTE:** Your degree must have been awarded by a college or university accredited by a regional, national, or specialized agency recognized as an accrediting agency by the U.S. Department of Education/U.S. Secretary of Education. If your degree was awarded by an educational institution outside the United States and its territories, you must provide independent verification of equivalency. A list of acceptable companies who provide this service can be found on the Internet at <http://www.cs.ny.gov/jobseeker/degrees.cfm>. You must pay the required evaluation fee.

**RESOLUTION REQUEST FORM NO. 11****Request to Create New Position**

DEPARTMENT NAME: Treasurer

DATE: 3/6/2025

- (a) Title of Requested Position: Deputy Treasurer-Per Diem
- (b) Annual **Base** Salary (and Grade if Applicable): \$97.58/hr-Maximum of \$35,000 Annual  
(current \$76.5345/hr)
- (c) Effective Date for New Position\*: 5/19/2025  
\*Please do not backdate unless the purpose is to correct an error.
- (d) List Any Position in the Department's Table of Organization Being Deleted as a Result of this Request:  
(Include annual salary and grade if applicable):  
N/A
- (e) Where are Funds in the Budget for this Position?  
List Budget Code, Object Code, Full Title and Amount:  
A.1325 130 County Treasurer-Part Time
- (f) Is a Budget Transfer needed?  YES  NO  
If yes, please complete Resolution Request Form No. 10 – Transfer of Funds  
If no, please provide details on how the increase will be funded with the current budget:  
Savings by not immediately filling the Accountant position and lower starting salary for new Deputy Treasurer. New Accountant will most likely start at a much lower salary.
- (g) Has Director of Human Resources Reviewed and Approved of the New Position Title?  YES  NO  
(approval is necessary **BEFORE** bringing the request to Committee) HR Director Initial AE
- (h) Had County Administrator Reviewed and Approved Creation of New Position?  YES  NO ?  
(approval is necessary **BEFORE** bringing the request to Committee) Co. Admin Initial +
- (i) Is this a mandated position?  YES  NO  
If yes, please explain:
- (j) Is there expected revenue from this position?  YES  NO  
If yes, please explain and complete Resolution Request Form No. 07 – Amend County Budget to recognize revenue:

**RESOLUTION REQUEST FORM NO. 20**

**MISCELLANEOUS**

***\*Please List All Other Requests Not Covered by Previous Resolution Request Forms Here.  
Please attach any backup information available and be as detailed as possible.***

**DEPARTMENT NAME: County Attorney**

**DATE: 3/28/25**

- (a) Purpose of Request: **Approving the Warren County Smoking, Tobacco and Cannabis Use Policy**
- (b) Details: **Updates to the smoking and tobacco policy were required to account for legalization of cannabis to comply with NYS Clean Indoor Air Act and to provide a glossary of essential definitions.**
- (c) Previous Resolution Number: **523 of 2016; 302 of 2016 and 303 of 2013 to be rescinded**
- (d) Where are the Funds (if required)? List Budget Code, Object Code, Full Title\* and Amount:

**Sample: A.8021 470 Planning & Community Development – Contract**

---

\* as listed in budget and LOGOS

## SCHEDULE "A"

## WARREN COUNTY SMOKING, TOBACCO AND CANNABIS USE POLICY

## A. PURPOSE

The purpose of this policy is to ensure compliance with federal and state law on the use of tobacco products, cannabis and/or cannabinoid-hemp products in places of employment, including public buildings, and areas immediately surrounding the workplace.

The New York State Clean Indoor Air Act ("Act") prohibits smoking and vaping in all places of employment, County Buildings/Facilities, and County motor vehicles. Smoking or vaping activities are strictly prohibited within fifty (50) feet of the entryway to County Buildings/Facilities. The purpose of this policy shall be to comply with the New York State Clean Air Act and to protect Warren County employees and the general public visiting County Buildings/Facilities from the dangers of secondhand smoke.

## B. DEFINITIONS

**Cannabis:** All parts of the plant of the genus Cannabis (commonly referred to as marijuana, weed, and pot among other acronyms) the seeds and resin extracted from any part of the plant and every compound derived from the plant, as more fully defined by section 3(5) of the New York State Cannabis Law.

**Cannabis Product:** Products for use by a cannabis consumer which contains cannabis, concentrated cannabis, or cannabis-infused products, as defined by section 3 of the New York State Cannabis Law.

**Cannabinoid-hemp:** Cannabinoid hemp products governed pursuant to Chapter 1 of the Laws of 2020 to govern the production and sale of products associated with the cannabinoid hemp flower and include CBD products including tinctures, oils, topicals, pills, capsules, food and/or beverages.

**County Building/Facility:** A County "building/facility" shall be defined as any facility that the County owns, leases, operates and/or maintains.

**County Real Property:** All real property titled or leased to the County of Warren.

**Electronic Cigarette - Vape:** An electronic cigarette or vape is a device that simulates smoking. It consists of an atomizer, a power sources such as a battery, and a container such as a cartridge or tank.

**Entryway:** An egress or entrance into a facility or building.

**Smoking:** The New York State Clean Air Act defines smoking as burning tobacco, cannabis and/or cannabinoid-hemp products.

**Tobacco:** The leaves of cultivated tobacco prepared for use in smoking, chewing, or as snuff.

**Vaping:** The use of an electronic cigarette or vape.

**C. REGULATIONS AND PROCEDURES**

This policy applies to all County departments, County officers and employees, and the general public when present at or near County Buildings/Facilities.

1. The use of tobacco products and cannabis products, including smoking and vaping, are strictly prohibited in County Buildings/Facilities, County motor vehicles; and within fifty (50) feet of the entrance of any County Building/Facility. The Warren County Sheriff, Superintendent of Public Works and the Superintendent of Building and Grounds shall have the responsibility and authority to designate specific smoking areas within their jurisdictions per the conditions prescribed by the New York State Clean Air Act and this policy.
2. Cigarette butts shall be properly disposed of in the containers available for disposal in areas where smoking is permitted. Under no circumstances shall cigarette butts be disposed of in the building vestibules, inside County buildings, or in trash cans. The containers shall be placed at locations determined by the Buildings and Grounds Department, and the Warren County Sheriff's Office, but in no event less than fifty (50) feet from any County building.
3. The Buildings and Grounds Department shall be responsible for prominently posting and properly maintaining signage describing the prohibitions set forth in this policy for County Buildings/Facilities and where smoking, and vaping, as well as the use of tobacco products and cannabis products are prohibited by this policy.
4. A written or electronic copy of this policy shall be provided to all County officers and employees.
5. County officers and employees who smoke, vape or use tobacco products or cannabis products in prohibited areas are in violation of New York State Law and County policy and will be subject to appropriate disciplinary actions.
6. Each department head, or their designee, shall be responsible for:
  - a. Taking disciplinary action against employees who violate this policy; and
  - b. Making a good faith effort to ensure that the members of the general public comply with this policy within their department's work locations.
7. County employees who witness a violation of this policy should notify their supervisor and/or department head. If the violation persists, employees may contact the County Administrator directly at (518) 761-6539 or by email.

**D. EXCEPTIONS:**

To the extent that the terms and conditions of this Policy conflict with any terms and conditions provided by any smoking and tobacco policy now in place for the Countryside Adult Home or the Warren County Correctional Facility, the specific term or condition in question shall be governed by the smoking and tobacco policy for the Countryside Adult Home and the Warren County Correctional Facility.

**E. EFFECTIVE DATE**

This policy to be effective upon approval by Warren County Board of Supervisors and all prior policies are hereby rescinded and replaced.

**RESOLUTION REQUEST FORM NO. 20**

**MISCELLANEOUS**

***\*Please List All Other Requests Not Covered by Previous Resolution Request Forms Here.  
Please attach any backup information available and be as detailed as possible.***

**DEPARTMENT NAME: County Attorney**

**DATE: 3/28/25**

- (a) Purpose of Request: **Approving the Warren County Substance Abuse Policy**
- (b) Details: **To update the substance abuse policy to account for legalization of cannabis, sets for Reasonable Suspicion Testing and standard, and provides glossary of essential terms.**
- (c) Previous Resolution Number: **138 of 2019 to be rescinded**
- (d) Where are the Funds (if required)? List Budget Code, Object Code, Full Title\* and Amount:

**Sample: A.8021 470 Planning & Community Development – Contract**

\* as listed in budget and LOGOS

## WARREN COUNTY SUBSTANCE ABUSE POLICY

### A. PURPOSE

The purpose of this policy is to ensure a safe, healthy, productive and efficient work environment for employees and the public we serve and to prevent accidents and injuries resulting from the use or misuse of alcohol or drugs.

This policy applies to all County employees and contracted vendors and contractors on County premises.

The County will endeavor to make reasonable accommodations to assist recovering addicts and alcoholics, as well as those employees having a medical history reflecting treatment for substance abuse conditions in accordance with regulatory requirements.

### B. DEFINITIONS

**Alcohol:** A colorless volatile flammable liquid that is produced by the natural fermentation of sugars and is the intoxicating constituent of wine, beer, spirits, and other drinks.

**Cannabis:** All parts of the plant of the genus Cannabis (commonly referred to as marijuana, weed, and pot among other acronyms) the seeds and resin extracted from any part of the plant and every compound derived from the plant, as more fully defined by section 3(5) of the New York State Cannabis Law.

**Cannabis Product:** Products for use by a cannabis consumer which contains cannabis, concentrated cannabis, or cannabis-infused products, as defined by section 3 of the New York State Cannabis Law.

**Cannabinoid-hemp:** Cannabinoid hemp products governed pursuant to Chapter 1 of the Laws of 2020 to govern the production and sale of products associated with the cannabinoid hemp flower and include CBD products including tinctures, oils, topicals, pills, capsules, food and/or beverages.

**Consumption/Consume:** To eat, drink or ingest a substance.

**Controlled Substance:** Controlled substances as defined by law to include opioids, methamphetamines, cannabis, alcohol products, hallucinogenic drugs and/or other narcotics controlled by Title 21 United States Code (USC) Controlled Substance Act.

**County Premises:** Any building, property or facility the County owns, leases, operates and/or maintains.

**Department Head:** County officers or employees given the supervisory title of Department Head.

**Drug Free Workplace Act (DFWA):** A Congressional Act enacted in 1988 that requires federal agency contractors and grantees to certify that they will provide a drug-free workplace as a pre-condition of receiving a contract or grant from a federal agency after March 18, 1989.

**Employee:** A person employed by the County of Warren on a full-time, part-time, less than part-time, or seasonal basis and includes volunteers and interns, whether paid or unpaid.

**Medical Review Officer:** A licensed physician contracted by the County to review lab results and validate whether a test is positive in accordance with established standards for alcohol and controlled substances.

**Medication:** A substance prescribed by a licensed healthcare provider for use in the diagnosis, cure, mitigation, treatment or prevention of a disease.

**Officer:** A person holding the right, authority and duty created and conferred by law for a given period of time which is either fixed in law or at the pleasure of the appointing authority which provides some portion of the sovereign's governmental functions to be exercised for the benefit of the public.

**Out-of-Unit Employee:** An officer or employee holding a position that is outside the County's various bargaining units.

**Reasonable Suspicion Test:** A type of testing program the County uses when they find evidence or make observations indicating an employee may be under the influence of drugs or alcohol at work.

**Shy Bladder Syndrome:** A medical condition known as paruresis that results from social anxiety disorder that makes it hard to urinate when others are around.

**Substance Abuse:** The use of psychoactive drugs including, but not limited to alcohol, pain medications, over the counter drugs or controlled substances that can lead to physical, social or emotional harm.

**Unauthorized Use of Prescription Drugs:** The use of controlled substances capable of altering the mood, perception, behavior or judgment of the individual consuming it when consumed in a manner or quantity other than that for which it was prescribed or manufactured, or consumed without a valid prescription.

**Vendor:** An individual or company contracted with the County to provide a product or service.

**Verified Positive Reasonable Suspicion Test:** A drug test, initiated due to observed behaviors or circumstances suggesting impairment, has confirmed the presence of a prohibited substance or above a defined threshold requiring further action.

**Workplace:** Any location where an employee performs any work-related duty in the course of their employment by the employer including County approved remote work assignments.

**Work Related Accident:** An accident which occurs while an employee is on County premises, or is off-site while engaged in activities for or on behalf of the County, or occurs while the employee is operating a vehicle for or on behalf of the County; and the incident results in one or more of the following: (1) a fatality, (2) bodily injury to any individual who, as a result of the accident, requires immediate medical treatment (excluding first aid) at or away from the scene of the accident, (3) property damage to County property or to the property of another person, or (4) in the case of a vehicle accident, one or more vehicles involved in the requiring the vehicle(s) to be transported away from the scene by another vehicle.

**C. REGULATIONS AND PROCEDURES****1. Permitted Use of Prescribed Medications Within the Workplace:**

Employees, other than those performing work under a Commercial Driver's License (CDL), shall be permitted to consume prescribed medication and be under the influence of such prescribed medications while in the workplace under the following conditions:

- a. it was prescribed by a licensed healthcare provider for the employee's use;
- b. the employee consumes the prescribed medication in accordance with the prescription provided; and
- c. the employee was advised by the employee's health care provider that the prescribed medication will not adversely affect the employee's safety at work, or the safety of others in the workplace.

If the employee, to include employees performing work with a CDL license, are advised by their health care provider that use of a prescribed medication is likely to adversely affect the employee or others in the workplace, then the employee shall be responsible to ask whether another medication can be prescribed. If an alternative medication may not be prescribed, the employee shall contact Human Resources to determine if an accommodation is possible while taking the required prescription medication.

**2. Prohibited Use of Alcohol and Controlled Substances Within the Workplace:**

Employees shall NOT consume or be under the influence of alcohol and/or controlled substances within a County premises. The following conduct by an employee is strictly prohibited:

- a. Employees shall not engage in the illegal or unauthorized use of alcohol and/or controlled substances at any time during assigned work hours. This includes, but is not limited to, reporting for work after the illegal or unauthorized use of alcohol or a controlled substance, and/or in an unauthorized manner during the employee's workday including meal and other break periods.
- b. Employees shall not report for work or remain on duty after the employee has consumed alcohol or a controlled substance in an amount that may have an adverse effect upon the employee, or does adversely affect the employee's job performance.
- c. Employees shall not consume alcohol or controlled substances at any time during an employee's workday regardless of whether an employee is on or off county premises, including, but not limited to, an employee's personal meal and other break periods.
- d. Employees shall not drive County vehicles at any time, including during non-business hours, if the employee has consumed any alcoholic beverages and/or controlled substances unless legally prescribed by a medical professional and the prescription taken does not materially affect the safe operation of a vehicle.
- e. Employees shall not serve or share alcoholic beverages and/or controlled substances on County premises.
- f. Employees shall not consume alcohol and/or controlled substances within the eight (8) hour period immediately following a work-related accident or until the employee has submitted to an alcohol or drug test as defined in this policy whichever occurs first.

- g. Employees shall not engage in the unlawful or unauthorized manufacture, distribution, dispensation, solicitation, sale, purchase, transfer or possession of controlled substances or alcohol under any of the following circumstances:
  - i. While an employee is on duty in the workplace;
  - ii. While an employee is on a County premises; and/or
  - iii. While an employee is otherwise engaged in activities for or on behalf of the County.

The County is subject to the federal Drug-Free Workplace Act (DFWA). The DFWA requires employees who are convicted under a criminal drug statute to advise the County of their conviction within five (5) days of the conviction. Any employee convicted per the DFWA will be subject to disciplinary action, up to and including termination. An employee's illegal conduct involving alcohol and/or controlled substances during non-work times may also result in disciplinary action, up to and including immediate termination in consultation with law enforcement officials and the employee's Department Head.

Vendors shall be governed by the same policy prohibitions outlined within Section 2 a through and including e of this policy section while providing a product and/or service in the course of contracted work while on a County premise.

### **3. Reasonable Suspicion Test Procedures**

County collective bargaining unit agreements may govern an employee's reasonable suspicion testing protocols for employees belonging to that bargaining unit. This policy shall govern all employees unless the employee's collective bargaining agreement provides for Reasonable Suspicion testing. All employees which are out-of-unit employees, to include elected and appointed officers, shall be subject to Reasonable Suspicion Testing, in accordance with government standards. Additionally, 29 CFR 382.307 shall govern the reasonable suspicion testing for commercial drivers as outlined in the County's CDL Drug Testing Program which shall supersede these policy conditions.

Key elements for reports of reasonable suspicion involving an employee's potential consumption of alcohol or controlled substances should be specific, contemporaneous and articulate observations including, but not limited to the following:

- a. Appearance: changes in appearance, including unkemptness or flushed face; and/or
- b. Behavior: erratic or unusual behavior, or difficulty speaking clearly; and/or
- c. Speech: slurred speech or difficulty engaging in conversation; and/or
- d. Body Odors: presence of alcohol or other controlled substances on an employee's breath or clothing.

The County shall utilize generally accepted standards for reasonable suspicion identification within its workplace to determine if an employee may be under the influence of alcohol and/or controlled substances. Reasonable determinations shall be based upon observable evidence that may include, but not be limited to: physical signs of impairment; workplace behavioral changes; and reports of personal observations from credible witnesses. Suspicions of impairment within a workplace should be privately reported to the employee's supervisory chain-of-command, to include the employee's Department Head. Department Heads shall be responsible for immediately contacting Human Resources to obtain assistance. Human Resources will review the allegations of the reasonable suspicion facts with the employee's Department Head and be responsible for scheduling the employee's Reasonable Suspicion Test.

Any such alcohol and/or controlled reasonable suspicion identification shall be documented in written format and be held in the strictest confidence when reporting the matter to Human Resources. The Human Resources Department shall be responsible for a Reasonable Suspicion investigation and testing for employees governed under this policy.

**4. Reasonable Suspicion Testing in Accordance with Collective Bargaining Agreements:**

All County officials and employees are bound by the terms and conditions of this policy. In the event an employee's collective bargaining unit has specific alcohol and drug testing requirements that are in addition to this policy, the terms and conditions of that drug testing within the collective bargaining unit shall prevail.

DPW CDL drivers shall be governed under the County's established CDL Drug Testing program in accordance with 29 CFR 382.307 which shall supersede these policy conditions.

Except as otherwise provided in this policy, employees are required to submit to testing under the circumstances described below. The County's Reasonable Suspicion Testing shall be directed only during the employee's regular work hours and any test shall be conducted as expeditiously as the circumstances permit, but no longer than two (2) hours after the employee was directed to report for testing, as follows:

- a. That an employee shall submit to a Reasonable Suspicion Test for controlled substances or alcohol, in accordance with applicable state or local law, when the County has reason to suspect the employee may have consumed controlled substances or alcohol in violation of this policy.
- b. That except as federal or state law may otherwise provide, the County's "Reasonable Suspicion" determination will be based on specific and current observations of the employee, that can be verbalized, including but not limited to: the employee's appearance; behavior; conduct; speech and/or body odors. These observations may also include indications of chronic use of, or the effects of withdrawal from, alcohol or controlled substances. A reasonable suspicion determination may be based on a single instance of conduct by the employee involving a serious potential risk of harm to the employee or other persons, or to County property, or the property of other persons. A Reasonable Suspicion determination shall be made by, and/or in conjunction with, either members of the Human Resources Department, or other County employees who received training on the signs and symptoms of alcohol or controlled substances consumption.
- c. That the County may require an employee to submit to a Reasonable Suspicion Test if an employee is involved in a work-related accident or near accident.
- d. That the County will transport or arrange for the transport of an individual directed to take a Reasonable Suspicion Test, to and from the sample collection site, except under circumstances which do not permit the County to provide such transportation.
- e. Employees shall not receive a confirmed positive drug test result, or confirmed alcohol test result of 0.04 or greater, on any test required under this policy.
- f. Employees shall engage in any conduct which constitutes a "refusal to submit to a drug or alcohol test" as defined in this policy.
- g. Employees shall stay in contact with the County or its Medical Review Officer (MRO) while awaiting the results of a drug test.
- h. That an employee directed to submit to a Reasonable Suspicion Test shall be suspended with pay, until the Reasonable Suspicion Test results are received by the County and the results of such testing are reviewed by the Human Resources Department to determine any required remediation. The County shall take appropriate employment action against the employee upon receiving positive Reasonable Suspicion Test results for alcohol or a controlled substance. The County reserves the right to evaluate the employee's conduct that caused the Reasonable Suspicion Test to determine if the employee's conduct, in and of itself,

warrants disciplinary action or other administrative action, up to and including termination.

**5. Refusal to Submit to a Reasonable Suspicion Test:**

The County's Reasonable Suspicion Test procedures for drug and alcohol testing comply with applicable state and federal law. Except as otherwise may be required or otherwise permitted by the applicable state or federal law, the County's Reasonable Suspicion Testing procedures will follow the Federal Procedures for Transportation Workplace Drug and Alcohol Testing Programs, 49 CFR Part 40, in effect on January 18, 2001, and in accordance with subsequent adopted revisions.

An employee's refusal to submit to a Reasonable Suspicion Test directed under County policy, including tests that employees agree to take in connection with rehabilitation provided under this policy, will result in disciplinary action against the employee, up to and including termination. An employee who engages in any of the following conduct will be considered to have refused to submit to a Reasonable Suspicion Test:

- a. Refusing to provide a urine or breath sample, or failing to provide an adequate amount of urine or breath without a legitimate medical explanation;
- b. Failing to undergo a medical examination or evaluation, as directed by the Medical Review Officer as part of the verification process, or as directed by the County as part of the "shy bladder" procedures, or the insufficient breath procedures;
- c. Refusing to complete the chain-of-custody form or another testing form whose completion is required and necessary to conduct the test;
- d. Refusing or failing to notify the County promptly that the employee was involved in a work-related accident, without a valid excuse;
- e. Refusing or failing to report promptly to the site where the Reasonable Suspicion Test will be conducted after the employee is directed that they shall submit to the drug and alcohol testing;
- f. Failing, refusing or declining to take a second Reasonable Suspicion Test that the County or collector has directed to be taken from the employee;
- g. Failing to cooperate with any part of the Reasonable Suspicion Testing process and procedures including, but not limited to delaying the sample collection, testing or verification processes;
- h. Compromising, excessive dilution, or substituting a urine sample, or attempting to compromise, dilute or substitute a urine sample;
- i. Refusing escort to or from the collection site; or
- j. Otherwise engaging in conduct that clearly obstructs or manipulates, or attempts to obstruct or manipulate the sample collection, testing and verification processes.

County Department Heads who have actual knowledge that an employee has engaged in or is engaging in conduct prohibited under this policy shall immediately remove the employee from their job duties and contact Human Resources for further direction.

**D. EMPLOYEE SELF-IDENTIFICATION OF SUBSTANCE ABUSE PROBLEM**

1. Employees who voluntarily self-identify themselves as having a problem with consuming alcohol or controlled substances and who voluntarily request assistance for such problems will be referred to the Employee Assistance Program for an evaluation and for appropriate counseling, treatment, or a rehabilitation program, if recommended. The financial cost of the evaluation and any counseling, treatment or rehabilitation shall be the employee's

responsibility and paid by the employee. Personal leaves taken under this section must be consistent with the County's employment policies.

2. A request for personal leave pertaining to a substance abuse issue must be made prior to a work-related accident before the employee is directed to submit to a Reasonable Suspicion Test. Employees may not use this self-identification provision to avoid taking a Reasonable Suspicion Test when directed by the County under this policy or to avoid disciplinary proceedings should the employee fail to comply and take a Reasonable Suspicion Test.
3. To receive the protections provided by this self-identification procedure, the employee shall be required to execute a HIPAA release authorization for the attending substance abuse professional so that the professional may communicate and release the employee substance abuse treatment records directly to the County's Human Resource Department. The employee will also be required to provide the County's Human Resources Department with a monthly substance abuse personal leave recertification to include substance abuse rehabilitation progress reports certified by the employee's healthcare substance abuse professional.
4. Except where the federal, state or local laws prohibits, all leave time taken for the evaluation, counseling, treatment or rehabilitation will be counted against any paid time off to which the employee may be entitled to under County policy.
5. Employees who take extended leave and successfully complete their counseling, treatment or rehabilitation program may be reinstated to their former position or to an equivalent position, provided that there is an available position consistent with and subject to the County's policies concerning leaves of absence and NYS Civil Service Laws. An employee, however, will be entitled to reinstatement only if they would have continued to be employed had medical leave not been taken. An employee is not entitled to reinstatement if, because of layoff, reduction in force, or other reason, the employee would not be employed at the time at which job restoration is requested.

#### **E. COUNTY SUBSTANCE ABUSE POLICY VIOLATION CONSEQUENCES**

Employees who violate the County's Substance Abuse Policy shall be subject to the following employment consequences:

1. **County Request to Submit to A Reasonable Suspicion Test:** Any employee who is required to submit to a Reasonable Suspicion-Test based upon drug or alcohol use, to include an employee's post-accident testing for work related accidents, shall be temporarily suspended with pay.
2. **Refusal to Submit to a Reasonable Suspicion Test:** Employees who refuse to submit to a Reasonable Suspicion Test when directed shall be temporarily suspended, either with or without pay, and will be subject to disciplinary action, up to and including termination.
3. **Positive Reasonable Suspicion Test Result:** Any employee who receives a verified positive Reasonable Suspicion Test result for a controlled substance, or a confirmed alcohol test of 0.04 BAC or greater, will be subject to disciplinary action, up to and including termination, absent a valid medical reason and medical documentation for the positive testing result for a controlled substance.
4. **Other Employee Violations of the Substance Abuse Policy:** An employee may be subject to disciplinary

action, up to and including termination, in the following additional circumstances:

- a. **Fitness-for-Duty Evaluation:** If an employee is required to submit to a Reasonable Suspicion Test, to include testing for alcohol and controlled substances following a work-related accident or near accident and the employee receives a positive test result which was caused by the employee's legal and authorized use of a controlled substance, then the County will require the employee to submit to a fitness-for-duty evaluation. An employee who tests negative from a Reasonable Suspicion Test may also be required to submit to a fitness-for-duty evaluation. The evaluation may include a review of the employee's medical records, a medical examination, or both. The purpose of the evaluation is to determine whether the employee poses a significant risk of substantial harm to the health and safety of the employee or other persons in the workplace, including customers, visitors, and members of the general public. Employees will be required to provide the necessary HIPAA release authorization for obtaining medical records and consent to the release of medical records related to the medical examination. Depending on the results of the evaluation, the County shall consider whether the safety or health risk can be eliminated or sufficiently reduced by a reasonable accommodation, if applicable.
- b. **Potential Forfeiture of Unemployment Benefits:** An employee's violation of the County's substance abuse policy will be considered as gross and willful misconduct. In addition to any appropriate disciplinary action and the other consequences imposed under this policy, the employee's misconduct may also result in the denial of unemployment compensation under applicable state law.
- c. **Potential Forfeiture of Workers Compensation Benefits:** An employee's violation of the County's substance abuse policy will be considered as gross and willful misconduct. In addition to any appropriate disciplinary action and the other consequences imposed under this policy, an employee who was injured while testing positive for alcohol or controlled substances in violation of this policy and/or other County safety rules, shall also risk forfeiture of any workers' compensation benefits under the applicable state law.

Vendors who violate the terms and conditions of this policy shall immediately be requested to leave the County premises. The Department Head responsible for the contracted vendor shall be informed of the removal and shall complete a written referral of the incident to the County Attorney's Office for further action as required.

#### **F. INSPECTIONS INVOLVING SUBSTANCE ABUSE VIOLATIONS**

The County reserves the right to conduct physical searches of County premises including any employee assigned lockers, desks, file cabinets, closets, toolboxes, and any other County-owned property. Additionally, the County reserves the right to search a vehicle owned or leased by the County and used by an employee, regardless of the vehicle's location. County vehicle searches will be conducted in accordance with law enforcement.

#### **G. SPECIAL POLICY CONDITIONS**

- a. The terms and conditions of "Warren County Board of Supervisors Resolution No. 77 of 2020 ADOPTING REVISED WARREN COUNTY ALCOHOL & DRUG TESTING POLICY FOR EMPLOYEES HOLDING A COMMERCIAL DRIVERS LICENSE (CDL)" and any future updates is hereby incorporated by reference herein and attached to this substance abuse policy with regard to the alcohol and controlled substance testing of Department of Public Works employees who hold CDL licenses in accordance with the Federal Motor Carrier Safety Administration (FMCSA) Regulations.

- b. Disciplinary measures taken with regard to employee infractions of this policy will be in accordance with an employee's collective bargaining agreement.

Questions regarding the meaning or application of this policy should be directed to the County Human Resources Department.

DRAFT