



**SAMPSON COUNTY  
BOARD OF COMMISSIONERS  
MEETING AGENDA  
April 6, 2020**

*This meeting is to be held during the unprecedented event of the COVID-19 pandemic. The Board will endeavor to follow the measure and spirit of the Open Meetings Law while remaining in compliance with the Governor's Executive Order and public health guidance on mass gatherings, including transmitting via Facebook Live.*

**6:00 pm Convene Regular Meeting (County Auditorium)**

Invocation and Pledge of Allegiance  
Approve Agenda as Published

**Presentations**

- a. COVID-19 Response Updates

**Tab 1 Public Hearings** *(open and immediately recess each individually to the May 4, 2020 meeting)* **1 - 4**

- a. Public Hearing Regarding Proposed Abolition of Existing Fire Service Districts
- b. Public Hearing Regarding Proposed Creation of County Fire Service Districts

**Tab 2 Action Items - Water District Project** **5 - 8**

- a. Adoption of Resolution Authorizing the Filing of an Application for Loan and Grant Assistance for Phase II of Johnston County Interconnection Project
- b. Award of Bid for Booster Pump Equipment for Johnston County Interconnect

**Tab 3 Consent Agenda** **9**

- a. Approve the minutes of the March 2, 2020 meeting **10 - 16**
- b. Adopt the resolution proclaiming April as Public Health Month **17**
- c. Adopt the Supplemental Personnel Resolution Implementing the Families First Coronavirus Response Act **18 - 21**
- d. Declare 2011 Ford Truck VIN 1FTFX1EFXBFC60043 as surplus and authorize transfer to Turkey Fire Department **22**

<b>Tab 3</b>	<b>Consent Agenda, continued</b>	
	e. Authorize execution of Post Approval Documentation (PAD) for Essential Single Family Rehab Loan Pool (ESFRLP20): Assistance Policy, Procurement & Disbursement Policy, and Language Access Policy	23 - 43
	f. Approve the Department of Social Services' Cash Management and Segregation of Duties Policy	44 - 52
	g. Ratify the change in advertisement date for the tax liens on real property pursuant to GS 105-369 from April 2 to April 1 (paper's publication dates changed due to COVID-19 situation)	53
	h. Authorize execution of the Notice of Residual Petroleum (Clinton-Sampson Airport)	54 - 58
	i. Approve the updated System Safety Plan, Title VI Plan, and Drug & Alcohol Testing Policy for Sampson Area Transportation	59 - 304
	j. Approve a delinquent tax exemption application for Warren Solar Farm, LLC	305 - 308
	k. Approve tax refunds and releases as submitted	309 - 319
	l. Approve budget amendments as submitted	320 - 334
	<b>Consent Agenda Items - as Board of Health</b>	335
	m. Approve Sampson County Health Department Information Security Policy	336 - 412
	n. Approve fee revisions as submitted (HepA, HSV 1/2PCN, Progesterone)	413
	o. Health Advisory Board Minutes, January 27, 2020	414 - 418
	p. Health Advisory Board Minutes, Dangerous Dog Appeal, January 21, 2020	419 - 427
	<b>County Manager's Reports</b>	
<b>Tab 4</b>	<b>Public Comment Period</b>	428 - 429
	<i>(Given the unusual conditions under which the meeting is being convened and transmitted electronically via Facebook Live, the Clerk will monitor public comments posted on Facebook Live and provide them to the Board in real time.)</i>	
	<b>Adjournment</b>	

---

**SAMPSON COUNTY  
BOARD OF COMMISSIONERS**

---

ITEM ABSTRACT

ITEM NO. 1 (a-b)

Meeting Date: April 6, 2020	<input type="checkbox"/>	Information Only	<input checked="" type="checkbox"/>	Public Comment
	<input type="checkbox"/>	Report/Presentation	<input type="checkbox"/>	Closed Session
	<input checked="" type="checkbox"/>	Action Item	<input type="checkbox"/>	Planning/Zoning
	<input type="checkbox"/>	Consent Agenda	<input type="checkbox"/>	Water District Issue

---

**SUBJECT:** Public Hearings Regarding Fire Districts (Two Hearings)

**DEPARTMENT:** Governing Body/Legal

**PUBLIC HEARING:** Yes (2)

**CONTACT PERSON(S):** Joel Starling, County Attorney

**PURPOSE:** To conduct required public hearings with regard to changes in fire service districts

*In order to comply with Governor Cooper's Executive Order and to protect the health and safety of our citizens and staff during the COVID-19 pandemic, the Board will open and immediately recess the previously scheduled public hearing until Monday, May 4, 2020 at 6:00 p.m. During the interim, County staff are working to develop additional ways for the public to participate in the public hearing without having to physically attend. One way the County will do this is by accepting written comments from the public until 5:00 p.m. on Friday, May 1, 2020.*

**ATTACHMENTS:** Hearing Advertisement; Frequently Asked Questions

**BACKGROUND:**

Under state law, the County must hold a public hearing before abolishing or creating a service district and must notify the public of the hearing by publication in a local newspaper. Before creating a fire service district, the County must also notify property owners who own property within the proposed service district by mail. The mailings have been duly distributed, and two separate hearings have been duly advertised.

Hearing 1: The purpose of the public hearing is to receive comments on the proposed abolition of the County's existing fire service districts.

Hearing 2: The purpose of the public hearing is to receive comments on the proposed creation of twenty (20) county fire service districts.

**RECOMMENDED ACTION OR MOTION:**

Each hearing should be opened and recessed to May 4, 2020.

# NOTICE OF PUBLIC HEARINGS

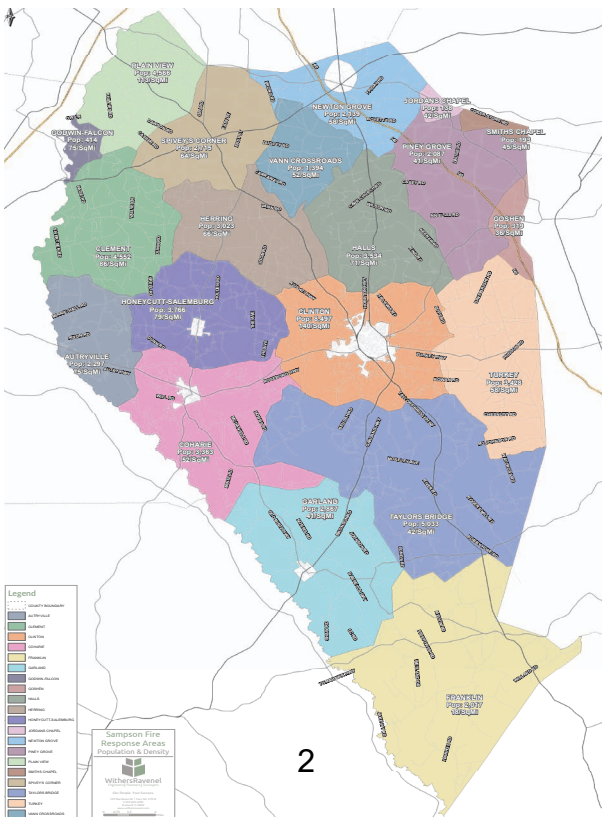
## SAMPSON COUNTY FIRE DISTRICTS

**\*\*\* UPDATE \*\*\*** In a desire to comply with state directives regarding mass gatherings of more than 100 people, the Board of Commissioners plans to simply open and recess these hearings to their May 4, 2020 meeting at 6 pm.

Hearing 1: A public hearing will be held by the Sampson County Board of Commissioners in the County Auditorium, located at 435 Rowan Road, Building A, Clinton, NC 28328, on Monday, April 6, 2020 at 6:00 p.m. The purpose of the public hearing is to receive comments on the proposed abolition of the County's existing fire service districts.

Hearing 2: A public hearing will be held by the Sampson County Board of Commissioners in the County Auditorium, located at 435 Rowan Road, Building A, Clinton, NC 28328, on Monday, April 6, 2020 at 6:00 p.m. The purpose of the public hearing is to receive comments on the proposed creation of twenty (20) county fire service districts, which are depicted on the map that is included with this notice. A report containing a map of the proposed districts showing its proposed boundaries, a statement showing that the proposed district meets the standards set out in G.S. 153A-302(a), and a plan for providing services to the district is available for public inspection in the office of the Clerk to the Board of Commissioners, located at 406 County Complex Road, Building C, Clinton, NC 28328.

For more information on either hearing, contact County Attorney Joel Starling at (910) 592-6308.





## FREQUENTLY ASKED QUESTIONS

### Why am I receiving a notice from the County?

The County is considering doing away with its existing fire service districts and creating 20 new districts. Under state law, the County must hold a public hearing before abolishing or creating a service district and must notify the public of the hearing by publication in a local newspaper. Before creating a fire service district, the County must also notify property owners who own property within the proposed service district by mail.

### Why is the County considering taking these actions?

There are two reasons. First, many of the existing districts were created in the 1970s and 80s. The records associated with the creation of the districts, including the maps, are sometimes unclear or incomplete. This has led to confusion about district boundaries. Creating 20 new districts using modern GIS technology will eliminate this issue going forward. Second, there are areas of the County that are not currently paying a tax for fire protection services, even though residents in those areas receive fire response from a local fire department. The County's Fire Commission voted to recommend that all parts of the County pay a tax for fire protection services. The new districts will cover all unincorporated areas of the County as well as the incorporated territory of three towns who voted to be included in a district. Those towns are Autryville, Harrells, and Turkey.

### What is a fire service district?

Under state law, counties can create special tax districts called county service districts in order to fund certain types of services within the district. Fire protection is one such service. Most residents in the unincorporated areas of Sampson County are already paying a tax for fire protection.

### Which proposed fire service district is my property located in?

Residents can use the County's GIS website to determine which proposed fire service district their property is located in by accessing <https://sampson.connectgis.com/Map.aspx>. Using the "Layers" tool bar on the righthand side of the screen, residents can scroll down to "Emergency Mgmt." When the arrow to the left of "Emergency Mgmt." is clicked, six boxes will drop down. Select the last box, entitled "Fire Response Areas Proposed" to view which proposed fire service district your property is located in.

### What will the tax rate be in my fire service district?

After reviewing the proposed budget and recommendations of the fire department that serves each district, the Board of Commissioners will set the tax rate for each fire service district when it adopts its annual budget ordinance. Tax rates currently vary by district, and this will likely continue to be the case if the Board votes to create the new proposed service districts. A list of tax rates for existing districts can be viewed by accessing [https://cms4.revize.com/revize/sampsoncounty/document\\_center/Tax/SC%20Tax%20Rate%202019%20\(June\).pdf](https://cms4.revize.com/revize/sampsoncounty/document_center/Tax/SC%20Tax%20Rate%202019%20(June).pdf).

### Can the County use the fire service tax to pay for other things?

The fire service district tax revenue must be used to fund fire protection service within the service district. The County could also use revenue generated by the fire service district to fund emergency

medical, rescue and ambulance services within the district but will only do so to the extent that the fire department that services the district provides rescue or fire medic services.

Is the County still going to have the public hearing on April 6<sup>th</sup>?

In order to comply with Governor Cooper's Executive Order and to protect the health and safety of our citizens and staff, the County plans to open and immediately recess the previously scheduled public hearing until Monday, May 4, 2020 at 6:00 p.m. at the County Auditorium located at 435 Rowan Road, Building A, Clinton, NC 28328. During the interim, County staff are working to develop additional ways for the public to participate in the public hearing without having to physically attend. One way the County will do this is by accepting written comments from the public until 5:00 p.m. on Friday, May 1, 2020. Comments may be submitted by mail to Sampson County Administration, 406 County Complex Road, Building C, Suite 110, Clinton, NC 28328 or by email to: [insert email address].

---

**SAMPSON COUNTY  
BOARD OF COMMISSIONERS**

---

ITEM ABSTRACT

ITEM NO. 2 (a-b)

Meeting Date: April 6, 2020	<input type="checkbox"/>	Information Only	<input type="checkbox"/>	Public Comment
	<input type="checkbox"/>	Report/Presentation	<input type="checkbox"/>	Closed Session
	<input checked="" type="checkbox"/>	Action Item	<input type="checkbox"/>	Planning/Zoning
	<input type="checkbox"/>	Consent Agenda	<input checked="" type="checkbox"/>	Water District Issue

---

**SUBJECT:** Water District Projects

**DEPARTMENT:** Public Works

**PUBLIC HEARING:** No

**CONTACT PERSON(S):** Lin Reynolds, Public Works Director

**PURPOSE:** To consider actions on two items related to the Johnston County Interconnection Project

**ATTACHMENTS:** Resolution; Project Description

**BACKGROUND:**

- a. Adoption of Resolution Authorizing the Filing of an Application for Loan and Grant Assistance for Phase II of Johnston County Interconnection Project  
The enclosed resolution authorizes the appropriate County government staff to execute the documents required to submit an application for grant and loan funding for the Johnston County Phase II water main extensions. Public Works Director Lin Reynolds will be present to answer questions regarding the application process. The deadline for application submission is April 30. (See project description attached.)
- b. Award of Bid for Booster Pump Equipment for Johnston County Interconnect  
The District has received approval from DWI to procure the booster pump equipment for the Johnston County interconnect, and bids for the equipment have been solicited. The bid opening will be held on April 2 (after distribution of the agenda), so the engineer's bid award recommendation will be provided at the meeting.

**RECOMMENDED ACTION OR MOTION:**

- a. Motion to (1) adopt the resolution; (2) authorize the County Manager to sign the Application and Fund Transfer Certification; and (3) authorize the Finance Officer to sign the Financial Information Form
- b. Motion to award the bid as recommended by the engineering firm



**RESOLUTION BY GOVERNING BODY OF APPLICANT**

- WHEREAS, The Federal Clean Water Act Amendments of 1987 and the North Carolina the Water Infrastructure Act of 2005 (NCGS 159G) have authorized the making of loans and grants to aid eligible units of government in financing the cost of construction of drinking water distribution system, and
- WHEREAS, The County of Sampson has need for and intends to construct a drinking water distribution system project described as Johnston County Interconnection Phase II water main extensions, and
- WHEREAS, The County of Sampson intends to request state loan and grant assistance for the project,

**NOW THEREFORE BE IT RESOLVED, BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF SAMPSON:**

That the County of Sampson, the **Applicant**, will arrange financing for all remaining costs of the project, if approved for a State loan and grant award.

That the **Applicant** will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system and the repayment of all principal and interest on the debt.

That the governing body of the **Applicant** agrees to include in the loan agreement a provision authorizing the State Treasurer, upon failure of the County of Sampson to make scheduled repayment of the loan, to withhold from the County of Sampson any State funds that would otherwise be distributed to the local government unit in an amount sufficient to pay all sums then due and payable to the State as a repayment of the loan.

That the **Applicant** will provide for efficient operation and maintenance of the project on completion of construction thereof.

That Edwin W. Causey, County Manager, the **Authorized Official**, and successors so titled, is hereby authorized to execute and file an application on behalf of the **Applicant** with the State of North Carolina for a loan and grant to aid in the construction of the project described above.

That the **Authorized Official**, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the **Applicant** has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted this the 6th day of April, 2020.

---

Clark H. Wooten, Chairman  
Sampson County Board of Commissioners

**ATTEST:**

---

Susan J. Holder, Clerk to the Board



**\*\*\* The Resolution and Certification by Recording Officer MUST be included IN THE Application Package \*\*\***

---

**(Suggested Format)**

**CERTIFICATION BY RECORDING OFFICER**

The undersigned duly qualified and acting (title of officer) of the (unit of government) does hereby certify:  
That the above/attached resolution is a true and correct copy of the resolution authorizing the filing of an application with the State of North Carolina, as regularly adopted at a legally convened meeting of the (name of governing body of applicant) duly held on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_;  
and, further, that such resolution has been fully recorded in the journal of proceedings and records in my office. IN WITNESS WHEREOF, I have hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
(Signature of Recording Officer)

\_\_\_\_\_  
(Title of Recording Officer)

## **Johnston County Interconnect – Phase 2**

The bulk water agreement between Sampson County and Johnston County in April 2019, identified two interconnection locations between the water systems. The first location is at Easy Street (Phase 1) with an average daily supply of 0.150 Million/Gallons/Day (MGD). The second location is at Oak Grove Church Road (Phase 2) with an average daily supply of 0.350 MGD.

Infrastructure improvements required for Phase 1 are in progress and include a booster pump station which will provide pumping capacity for both Phase 1 and Phase 2. Phase 2 will require linear water main, water meter, and valving improvements to convey the required average daily supply to Johnston County.

The infrastructure improvements required for Phase 2 include:

- 15,500 linear feet of 12-inch water main on Oak Grove Church Road. The 12-inch water main will begin at the intersection of US 13 and Oak Grove Church Road and till terminate at the intersection of NC 55 and Oak Grove Church Road.
- 16,500 linear feet of 8-inch water main on King Road. The 8-inch water main will begin at the intersection of US 701 and King Road and terminate at the intersection of NC 403 and King Road. Between US 701 and Shipp Road, the 8-inch water main will parallel the existing 6-inch water main on King Road.
- 2-way master meter at the intersection of NC 55 and Oak Grove Church Road.
- System control valve at the intersection of NC 55 and Oak Grove Church Road to control flow to Johnston County.
- Water services to existing residences/businesses along Oak Grove Church Road and King Road.
- Associated system controls

The NC Division of Water Infrastructure (DWI) is accepting funding applications for infrastructure projects until April 30, 2020. As part of the funding award, principal forgiveness may be offered. If funding is awarded, it is not binding and may be declined, if desired.

As part of the Phase 2 interconnection, Johnston County will pay Sampson County a capacity charge of \$1,050,000 upon completion of the project. The preliminary opinion of probable project costs for Phase 2 is \$3,652,000. It is recommended that the amount of funding requested from DWI be \$2,602,000.

To complete the funding application to DWI, the Board of Commissioners should:

- Approve the required resolution which:
  - Authorizes the application
  - Designates Mr. Causey as the authorized official

---

**SAMPSON COUNTY  
BOARD OF COMMISSIONERS**

---

ITEM ABSTRACT

ITEM NO.      3

Meeting Date:      April 6, 2020	<input type="checkbox"/>	Information Only	<input type="checkbox"/>	Public Comment
	<input type="checkbox"/>	Report/Presentation	<input type="checkbox"/>	Closed Session
	<input type="checkbox"/>	Action Item	<input type="checkbox"/>	Planning/Zoning
	<input checked="" type="checkbox"/>	Consent Agenda	<input type="checkbox"/>	Water District Issue

---

**SUBJECT:**                      Consent Agenda

**DEPARTMENT:**              Administration/Multiple Departments

**ITEM DESCRIPTIONS/ATTACHMENTS:**

**Consent Agenda Items as Board of Commissioners**

- a. Approve the minutes of the March 2, 2020 meeting
- b. Adopt the resolution proclaiming April as Public Health Month
- c. Adopt the Supplemental Personnel Resolution Implementing the Families First Coronavirus Response Act
- d. Declare 2011 Ford Truck VIN 1FTFX1EFXBFC60043 as surplus and authorize transfer to Turkey Fire Department
- e. Authorize execution of Post Approval Documentation (PAD) for Essential Single Family Rehab Loan Pool (ESFRLP20): Assistance Policy, Procurement & Disbursement Policy, and Language Access Policy
- f. Approve the Department of Social Services' Cash Management and Segregation of Duties Policy
- g. Ratify the change in advertisement date for the tax liens on real property pursuant to GS 105-369 from April 2 to April 1 (paper's publication dates changed due to COVID-19 situation)
- h. Authorize execution of the Notice of Residual Petroleum (Clinton-Sampson Airport)
- i. Approve the updated System Safety Plan, Title VI Plan, and Drug & Alcohol Testing Policy for Sampson Area Transportation
- j. Approve a delinquent tax exemption application for Warren Solar Farm, LLC
- k. Approve tax refunds and releases as submitted
- l. Approve budget amendments as submitted

**Consent Agenda Items - as Board of Health**

- m. Approve Sampson County Health Department Information Security Policy
- n. Approve fee revisions as submitted (HepA, HSV 1/2PCN, Progesterone)
- o. Health Advisory Board Minutes, January 27, 2020
- p. Health Advisory Board Minutes, Dangerous Dog Appeal, January 21, 2020

**RECOMMENDED ACTION OR MOTION:**

Motion to approve Consent Agenda as presented



The Sampson County Board of Commissioners convened for their regular meeting at 6:00 p.m. on Monday, March 2, 2020, in the County Auditorium, 435 Rowan Road in Clinton, North Carolina. Members present: Chairman Clark Wooten, Vice Chairperson Sue Lee, and Commissioners Thaddeus Godwin, Jerol Kivett and Harry Parker.

Chairman Wooten called the meeting to order and acknowledged Vice Chairperson Lee who then called upon Jackson Gunnels for the invocation. Brody Gunnels then led the Pledge.

### **Approval of Agenda**

Upon a motion made by Vice Chairperson Lee and seconded by Commissioner Godwin, the Board voted unanimously to approve the agenda with the following changes:

Added as Item 1 (b): Health Director Coronavirus Update;

Added as Item 1 (c): Adoption of Resolution Supporting the State of North Carolina's Proposed FY 2019-2021 Biennium Budget;

Added as an Action Item: Public Hearing Regarding Proposed Expenditure for Economic Development; and

Included an additional budget amendment for Parks and Recreation to Consent Agenda item g

### **Item 1: Presentations and Reports**

NCDOT: Update on Closure of 421 Rest Area NCDOT Division 3 Manager Chad Kimes provided the Board with an update on the closure of the rest area noting that the cause of the temporary closure was primarily due to a decrease of cash balance as a result of the various statewide storm repair and weather related projects over the past few years. He noted that due to the cash balance decrease NCDOT has discontinued funding several projects and services, including permanent closures on various rest areas. Mr. Kimes stated that Sampson County's rest area has been one of the least used sites in the state, having an average of 37,000 users per year, compared to the average user total of 200,000. As alternate suggestions to permanent closure, Mr. Kimes mentioned the following options: NCDOT could donate the land to the County to be developed and used as a public place, such as a park, or the County could seek sponsorship opportunities to assist with costs. The Chairman thanked Mr.

Kimes for the update, and the Board received the information without any decisions or determinations being made.

(WALK ON) Coronavirus 2019 (COVID-19) Update Health Department Director of Nursing Kelly Parrish provided the Board with an update on the Coronavirus and provided a handout containing information on how the virus spreads, signs and symptoms, methods to prevent spreading, vaccination and treatment methods, and current objectives and response. The Chairman sought counsel on how Sampson County, particularly farmers, should prepare for the influx of seasonal workers. Health Director Wanda Robinson noted that she anticipated that travel restrictions for certain areas would soon follow, along with new measures for conducting health assessments, wellness screenings and testing, and providing education to the general public of best practices and prevention methods. She also noted that the Health Department will receive citizens calls reporting suspected cases of the virus and will assist with assessing the persons suspected of being ill.

(WALK ON) Consideration of a Resolution Supporting the State of North Carolina's Proposed FY 2019-2021 Biennium Budget Upon a motion made by Commissioner Kivett and seconded by Vice Chairperson Lee, the Board voted unanimously to support the resolution supporting the State of North Carolina's Proposed FY 2019-2021 Biennium Budget (Copy filed in Inc. Minute Book \_\_\_\_ Page \_\_\_\_).

(WALK ON) Public Hearing Regarding Proposed Expenditure for Economic Development Purposes The Chairman opened the hearing and acknowledged County Attorney W. Joel Starling, Jr. who reviewed the request to acquire two properties totaling 2.01 acres of real property from Clinton Lodge No. 786, Loyal Order of Moose, Inc., in the amount of \$199,000. He noted that the property is currently under contract and that the proposed agreement will be a backup agreement if the primary contract does not result in a closing. He also noted that if the property is acquired but does not become an economic development property the property could be used for airport purposes, having potential retroactive reimbursement requests. The Chairman opened the floor for public comment, and none were received. The hearing was closed. Upon a motion made by Commissioner Kivett and seconded by Commissioner Godwin, the Board voted unanimously to authorize the County Manager to execute the Agreement for Purchase and Sale of Real Property (Copy filed in Inc. Minute Book \_\_\_\_ Page \_\_\_\_).

**Item 3: Consent Agenda**

Upon a motion made by Commissioner Kivett and seconded by Vice Chairperson Lee, the Board voted unanimously to approve the Consent Agenda as amended:

- a. Approved the minutes of the January 6, 2020 meeting
- b. Adopted the resolution authorizing the County Manager, Finance Officer and Deputy Finance Officer to conduct business with First Citizens Bank & Trust for the purposes of investing idle County funds (Copy filed in Inc. Minute Book \_\_\_\_ Page \_\_\_\_.)
- c. Approved revisions to the Sampson County Purchasing Manual
- d. Approved the submission of applications for reimbursement of lottery funds for debt payments
- e. Approved a delinquent tax exemption application for Panda Solar NC 7, LLC.
- f. Approved tax refunds and releases as submitted:

#9257	Randy Simmons	\$100.08
#9252	Cassell Devane	\$174.96
#9247	Anita Faircloth	\$122.85
#9233	Triple M Inc.	\$122.78
#9230	Tracey Meyer	\$315.98
#9213	Deliverance Victory Temple	\$139.60
Tax Release	Andres Guzman	\$150.59
Tax Release	Henry Carr, Jr.	\$257.32
Tax Release	Danny and Joan Norris	\$208.13

- g. Approved budget amendments as submitted:

<b><u>EXPENDITURE</u></b>		Finance			
<u>Code Number</u>		<u>Description (Object of Expenditure)</u>	<u>Increase</u>	<u>Decrease</u>	
11659140	555030	Category 1 Capital Outlay County		\$331,488.00	
11659140	555031	Category 2 Capital Outlay County	\$331,488.00		
11659140	555031	Category 2 Capital Outlay City	\$82,503.00		
11659140	555032	Category 3 Capital Outlay City	\$30,000.00		
19959110	582096	Transfer to General Fund	\$112,503.00		

<b><u>REVENUE</u></b>					
<u>Code Number</u>		<u>Source of Revenue</u>	<u>Increase</u>	<u>Decrease</u>	
19959110	409900	Fund Balance Appropriated	\$112,503.00		
11035911	409612	Transfer from School Capital Reserve	\$112,503.00		

<b><u>EXPENDITURE</u></b>		Finance – Health Insurance Fund			
<u>Code Number</u>		<u>Description (Object of Expenditure)</u>	<u>Increase</u>	<u>Decrease</u>	
72154000	545100	Administration/claims	\$1,600,000.00		

<b><u>REVENUE</u></b>					
<u>Code Number</u>		<u>Source of Revenue</u>	<u>Increase</u>	<u>Decrease</u>	
72035400	408900	Miscellaneous Revenue	\$1,600,000.00		

<b><u>EXPENDITURE</u></b>		Finance		
<u>Code Number</u>		<u>Description (Object of Expenditure)</u>	<u>Increase</u>	<u>Decrease</u>
11141300	599900	Disaster Relief	\$119,375.00	
<b><u>REVENUE</u></b>				
<u>Code Number</u>		<u>Source of Revenue</u>	<u>Increase</u>	<u>Decrease</u>
11033010	402605	FEMA Funds	\$119,375.00	
<b><u>EXPENDITURE</u></b>		Finance		
<u>Code Number</u>		<u>Description (Object of Expenditure)</u>	<u>Increase</u>	<u>Decrease</u>
		Acquisition Relocation Gap Funds	\$181,500.00	
<b><u>REVENUE</u></b>				
<u>Code Number</u>		<u>Source of Revenue</u>	<u>Increase</u>	<u>Decrease</u>
		SARF Grant	\$181,500.00	
<b><u>EXPENDITURE</u></b>		JCPC Programs		
<u>Code Number</u>		<u>Description (Object of Expenditure)</u>	<u>Increase</u>	<u>Decrease</u>
05558310	561002	Conflict Resolution	\$23,435.00	
05558310	510000	Administration	\$3,471.00	
<b><u>REVENUE</u></b>				
<u>Code Number</u>		<u>Source of Revenue</u>	<u>Increase</u>	<u>Decrease</u>
05435831	303612	Grant JCPC Programs	\$29,906.00	
<b><u>EXPENDITURE</u></b>		Public Works Water		
<u>Code Number</u>		<u>Description (Object of Expenditure)</u>	<u>Increase</u>	<u>Decrease</u>
61971000	544000	Contracted Services	\$41,880.00	
<b><u>REVENUE</u></b>				
<u>Code Number</u>		<u>Source of Revenue</u>	<u>Increase</u>	<u>Decrease</u>
61937100	408900	Miscellaneous Revenue	\$41,880.00	
<b><u>EXPENDITURE</u></b>		Aging		
<u>Code Number</u>		<u>Description (Object of Expenditure)</u>	<u>Increase</u>	<u>Decrease</u>
02558670	525000	Home Repairs – United Way – Mat	\$3,930.00	
02558670	555000	Home Repairs – Capital Outlay – OTH	\$3,570.00	
<b><u>REVENUE</u></b>				
<u>Code Number</u>		<u>Source of Revenue</u>	<u>Increase</u>	<u>Decrease</u>
02035867	43602	Home Repairs – United Way Funding	\$7,500.00	
<b><u>EXPENDITURE</u></b>		Cooperative Extension		
<u>Code Number</u>		<u>Description (Object of Expenditure)</u>	<u>Increase</u>	<u>Decrease</u>
05558330	544000	Contracted Services	\$960.00	
05558330	522100	Food & Provisions	\$1,155.00	
05558330	526200	Departmental Supplies	\$750.00	

05558330	531100	Travel	\$741.00	
<b><u>REVENUE</u></b>				
<u>Code Number</u>		<u>Source of Revenue</u>	<u>Increase</u>	<u>Decrease</u>
05035833	303612	Rev-Juvenile Innov	\$3,606.00	
<b><u>EXPENDITURE</u></b>				
<u>Code Number</u>		<u>Description (Object of Expenditure)</u>	<u>Increase</u>	<u>Decrease</u>
11761100	544200	Cultural Programming	\$392.00	
<b><u>REVENUE</u></b>				
<u>Code Number</u>		<u>Source of Revenue</u>	<u>Increase</u>	<u>Decrease</u>
1136110	408900	Misc. Revenue	\$392.00	
<b><u>EXPENDITURE</u></b>				
<u>Code Number</u>		<u>Description (Object of Expenditure)</u>	<u>Increase</u>	<u>Decrease</u>
11243800	526200	Departmental Supplies	\$942.00	
<b><u>REVENUE</u></b>				
<u>Code Number</u>		<u>Source of Revenue</u>	<u>Increase</u>	<u>Decrease</u>
11034380	408401	Donations	\$942.00	
<b><u>EXPENDITURE</u></b>				
<u>Code Number</u>		<u>Description (Object of Expenditure)</u>	<u>Increase</u>	<u>Decrease</u>
11243100	535200	Maint. Repair and Equipment	\$7,080.00	
<b><u>REVENUE</u></b>				
<u>Code Number</u>		<u>Source of Revenue</u>	<u>Increase</u>	<u>Decrease</u>
11034310	403631	Substance Abuse Narcotics	\$7,080.00	
<b><u>EXPENDITURE</u></b>				
<u>Code Number</u>		<u>Description (Object of Expenditure)</u>	<u>Increase</u>	<u>Decrease</u>
13554810	568414	LIEAP	\$4,771.00	
<b><u>REVENUE</u></b>				
<u>Code Number</u>		<u>Source of Revenue</u>	<u>Increase</u>	<u>Decrease</u>
13535480	403314	LIEAP	\$4,771.00	
<b><u>EXPENDITURE</u></b>				
<u>Code Number</u>		<u>Description (Object of Expenditure)</u>	<u>Increase</u>	<u>Decrease</u>
13554910	568415	Progress Energy-Energy Neighbor	\$414.00	
<b><u>REVENUE</u></b>				
<u>Code Number</u>		<u>Source of Revenue</u>	<u>Increase</u>	<u>Decrease</u>
13535480	403315	Progress Energy-Energy Neighbor	\$414.00	

<b><u>EXPENDITURE</u></b>		Social Services		
<u>Code Number</u>		<u>Description (Object of Expenditure)</u>	<u>Increase</u>	<u>Decrease</u>
13553100	512100	Salaries	\$15,032.00	
<b><u>REVENUE</u></b>				
<u>Code Number</u>		<u>Source of Revenue</u>	<u>Increase</u>	<u>Decrease</u>
13535310	403372	SSBG	\$15,032.00	

<b><u>EXPENDITURE</u></b>		Aging		
<u>Code Number</u>		<u>Description (Object of Expenditure)</u>	<u>Increase</u>	<u>Decrease</u>
02558680	526200	Senior Center – Department Supplies	\$600.00	
<b><u>REVENUE</u></b>				
<u>Code Number</u>		<u>Source of Revenue</u>	<u>Increase</u>	<u>Decrease</u>
02035868	403601	Senior Center – Mid-Carolina	\$600.00	

(Walk On) Approved the Sampson County Parks and Recreation Budget Amendment:

<b><u>EXPENDITURE</u></b>		Parks and Recreation		
<u>Code Number</u>		<u>Description (Object of Expenditure)</u>	<u>Increase</u>	<u>Decrease</u>
11761200	544000	Contracted Services	\$3,754.00	
11761200	534100	Printing		\$500.00
11761201	544200	Cultural Programs		\$500.00
<b><u>REVENUE</u></b>				
<u>Code Number</u>		<u>Source of Revenue</u>	<u>Increase</u>	<u>Decrease</u>
11036120	442002	Basketball Fees	\$475.00	
11036120	442002	Football Fees	\$1,159.00	
11036120	442006	Volleyball Fees	\$1,120.00	

### County Manager’s Reports

County Manager Ed Causey informed the Board that staff was working diligently to locate and acquire funding for the newly proposed EMS Facility Project, specifically noting that the GoldenLeaf Foundation grant has been completed and submitted, and that other grant funding request are being submitted. Mr. Causey noted the completion of the first cohort of the Leadership Academy and expressed appreciation for the Board’s support of the program and for the oversight of HR Director Nancy Dillman. He concluded by reminding the Board of the Board of Equalization and Review meetings scheduled April 21 and 28, 2020, 1 p.m. daily.

### Public Comments

The Chairman opened the floor for comments and the following were received:

Cooperative Extension Director Eileen Coite provided the Board tickets and information regarding the upcoming Ag Rally event, to be held at the Sampson County Exposition Center on Tuesday, March 17, 2020, which will consist of a reception beginning at 5:30 p.m. and rally event following at 6:30 p.m. She also noted that Ag Day would follow on Saturday, March 21, 2020, at the Sampson County Exposition Center.

### **Adjournment**

Upon a motion made by Vice Chairperson Lee and seconded by Commissioner Kivett, the Board voted unanimously to adjourn.

---

Clark H. Wooten, Chairman

---

Susan J. Holder, Clerk to the Board





**PUBLIC HEALTH MONTH  
2020**

WHEREAS, the public health system is a critical component of our emergency response to natural and man-made disasters and widespread disease outbreaks in our state and in our local communities, as clearly demonstrated during our current COVID-19 crisis; and

WHEREAS, public health measures to control and eliminate infectious diseases, improve environmental sanitation, and promote healthy lifestyle practices have been the greatest cause of improved health status and increased life expectancy for North Carolina residents, such that North Carolinians have an average life expectancy at birth of 78 years; and

WHEREAS, public health plays a critical role in eliminating health inequities and preventing chronic diseases and injuries, resulting in improved productivity and decreased health care costs for all North Carolinians; and

WHEREAS, the State of North Carolina – and likewise the County of Sampson – is committed to a continued emphasis on prevention in public health, and to helping North Carolina reach a better state of health through actions outlined in the Healthy North Carolina 2020 objectives; and

WHEREAS, communities, employers, hospitals and healthcare providers, individuals and families, insurers, legislators and policy makers, and schools and childcare facilities must work together to identify and develop innovative solutions to health problems facing our citizens; and

WHEREAS, citizens are encouraged to recognize that even beyond the current COVID-19 health crisis public health is working to ensure you are protected from threats such as influenza, foodborne disease, injury, and chronic diseases such as diabetes, heart disease, and asthma; and

NOW THEREFORE, the Board of County Commissioners of Sampson do hereby proclaim April 2020, as “PUBLIC HEALTH MONTH” in Sampson County, celebrating the dedication our healthcare workers demonstrate in times of crisis and in their everyday work to protecting the health, safety and welfare of our citizens.

ADOPTED, this the 6th day of April, 2020.

---

Clark H. Wooten, Chairman

---

Susan J. Holder, Clerk to the Board

**SAMPSON COUNTY  
SUPPLEMENTAL PERSONNEL RESOLUTION IMPLEMENTING  
THE FAMILIES FIRST CORONAVIRUS RESPONSE ACT**

The following Supplemental Personnel Resolution (“Supplemental Resolution”) implements the Families First Coronavirus Response Act (“Families First Act”).

**Section 1. Application.**

The Supplemental Resolution does not apply to officials, employees, and volunteers who are exempt under Article I, Section 2 of the Sampson County Personnel Resolution, except that the Supplemental Resolution does apply to the County Manager and the County Attorney.

The Supplemental Resolution applies to employees who are subject to the State Human Resources Act (“SHRA”) only to the extent that it does not conflict with policies adopted by the State Human Resources Director (“State HR Director”). To the extent that the Supplemental Resolution conflicts with a policy adopted by the State HR Director, the policy adopted by the State HR Director shall prevail with respect to employees who are subject to the SHRA.

The provisions of the Supplemental Resolution are in addition to and not in lieu of the Family and Medical Leave Act (“FMLA”) provisions contained in Article I, Section 6, *et seq.* of the Sampson County Personnel Resolution.

**Section 2. Effective Dates.**

The Supplemental Resolution will become effective on April 1, 2020. The Emergency Family and Medical Leave (“EFMLA”) provisions of the Supplemental Resolution will remain in effect only so long as there is a federal, state, or local COVID-19 state of emergency in effect and in any event only through December 31, 2020. The Emergency Paid Sick Leave (“EPSL”) provisions of the Supplemental Resolution will remain in effect until December 31, 2020.

**Section 3. Emergency Family and Medical Leave.**

**(a) Eligible Employees.**

Except as provided in Section 3(b) below, employees who have been employed for at least thirty (30) days are eligible for EFMLA.

**(b) Excluded Employees.**

Notwithstanding Section 3(a) above, healthcare providers and emergency responders are excluded from the EFMLA provisions of the Supplemental Resolution. For purposes of the Supplemental Resolution, “healthcare provider” is defined as an employee of the Health Department who is engaged in the provision of healthcare to patients. For purposes of the Supplemental Resolution, “emergency responder” is defined as an employee who is an EMS employee, 911 dispatcher, sworn law enforcement officer, or detention officer.

**(c) Availability.**

An employee who is eligible under Section 3(a) above and is not excluded under Section 3(b) above may request EFMLA when the employee is unable to work or telework due to a need for leave to care for a child of the employee under eighteen (18) years of age if the child's school or place of care has been closed or the child care provider of the child is unavailable due to an emergency with respect to COVID-19, as declared by a federal, state, or local authority. For purposes of Section 3 of the Supplemental Resolution, "child care provider" is defined as a person who provides child care services on a regular basis and receives compensation for those services. Where the need for EFMLA leave is foreseeable, an employee must provide the County with as much notice as possible.

**(d) Compensation.**

The first ten (10) days of EFMLA are unpaid; however, an employee may choose to use any accrued paid leave or, when available, any EPSL during the first ten (10) days of EFMLA. Thereafter, eligible, non-excluded employees will be paid during periods of EFMLA.

An employee's rate of pay will be calculated by multiplying the number of hours the employee would normally be scheduled to work each week by an amount that is two-thirds (2/3) the employee's regular rate of pay. For employees with fluctuating workweeks, the average number of hours will be calculated using the average number of hours the employee was scheduled to work over the six (6) month period preceding the day on which EFMLA begins, including any days in which the employee was on leave of any kind.

The maximum amount of EFMLA compensation that will be paid to an employee is \$200.00 per day or \$10,000.00 total.

EFMLA wages will not be subject to FICA taxes.

**(e) Duration.**

Eligible, non-excluded employees may use up to twelve (12) weeks of FMLA and EFMLA leave within a twelve (12) month period for all reasons combined. Employees who have already exhausted their FMLA allotment are not entitled to EFMLA.

**(f) Application Form.**

When requesting EFMLA leave, an employee must complete the EFMLA Form attached to the Supplemental Resolution as Appendix A and submit the EFMLA Form to the Sampson County Human Resources Director ("County HR Director").

**Section 4. Emergency Paid Sick Leave**

**(a) Eligible Employees.**

Except as provided in Section 4(b) below, all employees are eligible for EPSL.

**(b) Excluded Employees.**

Notwithstanding Section 4(a) above, healthcare providers and emergency responders are excluded from the EPSL provisions of the Supplemental Resolution with respect to EPSL pursuant to Section 4(c)(4) and 4(c)(5) below. Healthcare providers and emergency responders are not excluded from the EPSL provisions of the Supplemental Resolution with respect to EPSL pursuant to Section 4(c)(1), 4(c)(2), or 4(c)(3) below. For purposes of the Supplemental Resolution, “healthcare provider” is defined as an employee of the Health Department who is engaged in the provision of healthcare to patients. For purposes of the Supplemental Resolution, “emergency responder” is defined as an employee who is an EMS employee, 911 dispatcher, sworn law enforcement officer, or detention officer.

**(c) Availability.**

An employee may request EPSL if any of the following apply:

- (1) The employee is subject to a federal, state, or local quarantine or isolation order related to COVID-19.
- (2) The employee has been advised by their healthcare provider to self-quarantine because they are infected with or have been exposed to COVID-19 or because they are at high risk of complications from COVID-19.
- (3) The employee is experiencing symptoms of COVID-19 and is seeking but has not yet received a medical diagnosis.
- (4) The employee is caring for someone subject to a federal, state, or local quarantine or isolation order related to COVID-19 or who has been advised by their healthcare provider to self-quarantine for COVID-19 related reasons.
- (5) The employee is caring for the employee’s child because the child’s school or childcare facility has been closed or the child’s childcare provider is no longer available because of a COVID-19 related reason.
- (6) The employee is experiencing other substantially similar conditions as specified by the U.S. Secretary of Health and Human Services and the U.S. Secretaries of Labor and Treasury.

**(d) Compensation.**

Employees will be paid during periods of EPSL.

For EPSL pursuant to Section 4(c)(1), 4(c)(2), or 4(c)(3) above, an employee’s rate of pay will be calculated by multiplying the number of hours the employee would normally be scheduled to work

each week by the employee's regular rate of pay. For employees with fluctuating workweeks, the average number of hours will be calculated using the average number of hours the employee was scheduled to work over the six (6) month period preceding the day on which EPSL begins, including any days in which the employee was on leave of any kind.

For EPSL pursuant to Section 4(c)(4), 4(c)(5), and 4(c)(6) above, an employee's rate of pay will be calculated by multiplying the number of hours the employee would normally be scheduled to work each week by an amount that is two-thirds (2/3) the employee's regular rate of pay. For employees with fluctuating workweeks, the average number of hours will be calculated using the average number of hours the employee was scheduled to work over the six (6) month period preceding the day on which EPSL begins, including any days in which the employee was on leave of any kind.

The maximum amount of EPSL compensation pursuant to Section 4(c)(1), 4(c)(2), or 4(c)(3) above that will be paid to an employee is \$511.00 per day or \$5,110.00 total.

The maximum amount of EPSL compensation pursuant to Section 4(c)(4), 4(c)(5), and 4(c)(6) above that will be paid to an employee is \$200.00 per day or \$2,000.00 total.

EPSL wages will not be subject to FICA taxes.

**(e) Duration.**

Full-time employees are entitled to a maximum of eighty (80) hours of EPSL. Part-time employees are entitled to a maximum amount of EPSL that is equal to the average number of hours that they work during a two (2) week period. EPSL is independent of any accrued regular sick leave. An employee cannot be required to exhaust other forms of paid leave before using EPSL.

**(f) Application Form.**

When requesting EPSL leave, an employee must complete the EPSL Form attached to the Supplemental Resolution as Appendix B and submit the EPSL Form to the Sampson County Human Resources Director ("County HR Director").



*Sampson County Finance Department*  
*David K. Clack, Finance Officer*

*MEMORANDUM*

**TO:** Sampson County Board of Commissioners

**FROM:** David K. Clack, Finance Officer

**DATE:** March 26, 2020

**SUBJECT:** Vehicle Request Turkey Fire Department

Turkey Volunteer Fire Department has requested that the County donate a vehicle that is no longer being used to their Department. They would like to get a 2011 Ford truck VIN 1FTFX1EFXBFC60043.

We respectfully recommend that the Board declare the vehicle surplus property and authorize staff to transfer it to Turkey Volunteer Fire Department at no cost.

# Memo

To: David K. Clack, Finance Officer  
From: Juanita Brewington, CLGPO, Purchasing & Contracting Officer  
Date: March 12, 2020  
Re: Essential Single Family Rehab Loan Pool 2020 (ESFRLP20) Post Approval Documentation (PAD)

---

In December, 2019, Sampson County submitted an application to North Carolina Housing Finance Agency (NCHFA) for funding through the ESFRLP20 program. That application was funded and Sampson County has been awarded an initial set aside amount of \$190,000 to service five residents.

Upon successful completion of three of the five units, Sampson County may request additional funding through this program. Sampson County was successful in receiving assistance for twenty one applicants with grant cycle 2017 NCHFA funds.

Prior to work beginning on this project, Sampson County must complete the PAD and provide an approved Assistance Policy, a Procurement & Disbursement Policy and a Language Access Plan.

We are requesting that the Board adopt the attached policies. These policies are required to be adopted for each grant and are the same policies we have adopted for previous grants from NCHFA.

It is anticipated that we will be able to begin taking applications for participation in the program late July, 2020.



**Sampson County**  
**Assistance Policy**  
**For the 2020 Cycle of the**  
**Essential Single-Family Rehabilitation Loan Pool**

**What is the Essential Single-Family Rehabilitation Loan Pool?**

Sampson County has been awarded Membership by the North Carolina Housing Finance Agency (“NCHFA”) under the 2020 Cycle of the Essential Single-Family Rehabilitation Loan Pool (“ESFRLP”). This program provides Members with funds via a “loan pool” to assist with the rehabilitation of moderately deteriorated homes that are owned and occupied by lower-income, special need households. ESFRLP assists eligible households by facilitating aging in place, meeting minimum housing code requirements, promoting long-term affordability, lowering operating costs, and stabilizing pre-1978 homes that include children aged 6 or under whose health is threatened by the presence of lead hazards.

Sampson County has been allocated an initial set-aside of \$190,000 which it plans to apply toward the rehabilitation of five houses in Sampson County. After demonstrating successful use of the initial set-aside, the County may access additional funds, when available, on a unit-by-unit basis from the ESFRLP loan pool.

This Assistance Policy describes who is eligible for assistance under ESFRLP, how applications for assistance will be ranked, what the terms of assistance are, and how the rehabilitation process will be managed. Sampson County has designed the ESFRLP project to be fair, open and consistent with its approved application for funding and with ESFRLP Program Guidelines.

The funds provided by NCHFA come from the US Department of Housing and Urban Development’s (HUD) Federal HOME Investment Partnerships Program. Assistance for construction-related costs (hard costs) will be provided as no interest, no payment loans which are forgiven at the rate of \$5,000 per year. Non-construction-related costs (soft costs including lead/asbestos inspections/clearances, radon testing and environmental reviews) will be provided in the form of a grant.

**Who is Eligible to Apply?**

There are three major requirements to be eligible for ESFRLP assistance:

- 1) The housing unit to be rehabilitated with ESFRLP funds must be located in Sampson County, and must be owner-occupied. The household occupying the unit must have an elderly, disabled and/or veteran (see definitions) fulltime household member or a child aged 6 or under if there are lead hazards in the home;
- 2) The gross annual household income must not exceed 80% of the Area Median Income for the County (see income limit table on the following page) and;
- 3) The cost of rehabilitation cannot exceed the ESFRLP Program limit of \$30,000 and must include all Essential Rehabilitation Criteria as described in the ESFRLP Administrator’s Manual for the 2020 Cycle (available online at [www.NCHFA.com](http://www.NCHFA.com)).

Unfortunately, not all homes can be rehabilitated to meet the Essential Rehabilitation Criteria with the limited funding available. Some otherwise-eligible households may be deemed ineligible for assistance because their homes fail this test.

**What Types Of Houses Are Eligible?**

Properties are eligible only if they meet all of the following requirements:

- The property must require at least \$5,000 of improvements to meet ESFRLP Property Standards or the local minimum housing code.
- Site-built and off frame modular units are eligible for assistance. Manufactured housing is eligible for assistance if the foundation and utility hookups are permanently affixed including removal of all transporting equipment (e.g. wheels, axles, tongue) and installation of a full masonry foundation and tie-downs.
- No more than fifty percent (50%) of the total area of the unit may be used for an office or business (e.g. day care). Program funds may only be used to improve the residential portion of mixed-use buildings.
- The property must be free of environmental hazards and other nuisances as defined by all applicable codes or regulations, or any such hazards or nuisances must be corrected as part of the rehabilitation of the home. Sampson County’s Rehabilitation Specialist will determine the presence of any known environmental hazards/nuisances on the site and if they can be removed through rehabilitation.
- Properties cannot be located in the right-of-way of any impending or planned public improvements. Sampson County staff will assist in making this determination.
- The property cannot be located on a site that is endangered by mudslides, landslides or other natural or environmental hazards. If needed, the Rehabilitation Specialist will work with the homeowner to make this determination.
- The property may be located in the 100-year flood plain if the lowest finished floor level (verified by an elevation certificate provided by the homeowner) is above the base flood elevation and the property will be covered by flood insurance. The property must be in compliance with Sampson County’s flood plain ordinance. All things considered equal, properties located outside the 100-year flood plain will be given priority over properties located in the 100-year flood plain. (*Sampson County will verify whether the home is in the flood plain.*)
- The property cannot have been repaired or rehabilitated with public funding of \$30,000 or more within the past 10 years without NCHFA approval.

**2019 Income Limits for Sampson County’s  
Essential Single-Family Rehabilitation Loan Pool**

Number in Household	30% of Median Income	50% of Median Income	80% of Median Income
1	\$11,600	\$19,350	\$30,950
2	\$13,250	\$22,100	\$35,350
3	\$14,900	\$24,850	\$39,750
4	\$16,550	\$27,600	\$44,150

5	\$17,900	\$29,850	\$47,700
6	\$19,200	\$32,050	\$51,250
7	\$20,550	\$34,250	\$54,750
8	\$21,850	\$36,450	\$58,300

\*Income limits are subject to change based on annually published HUD HOME Income Limits. This update will not require a re-approval by the governing authority.

### **How are applications ranked?**

There are many more ESFRLP-eligible households (with eligible houses) than can be assisted with the available funds. Therefore, Sampson County has devised the following priority system to rank eligible applicants, determine which of them will be selected for assistance and in what order. Under this system applicants will receive points for falling into certain categories. Applications will be ranked according to which receive the most points. If there are more eligible applicants with eligible houses than can be treated with existing funding, Sampson County may be able to treat additional houses with unrestricted pool funds. Pool applicants will come from the original applicant list and be considered according to which received the most points. If alternate pool applicants are not identified on the original applicant list and must be solicited, the solicited, eligible, pool applicants will be selected on a first come, first to qualify, first served basis.

### **Priority Ranking System for Sampson County's 2020 Essential Single-Family Rehabilitation Loan Pool**

<i>Special Needs (for definitions, see below)</i>	<i>Points</i>
Household with a child under age 6 with lead hazards in the home	4
Elderly Household (62 or older)	4
Disabled	4
Veteran Household	4
Disabled, Elderly or Veteran Household Member (not Head of Household)	2
<i>Income (See Income Table above)</i>	<i>Points</i>
Less than 30% of County Median Income	4
30% to 50% of County Median Income	3
50% to 80% of County Median Income	5

**Definitions** under ESFRLP are:

- *Elderly*: An individual aged 62 or older.
- *Disabled*: A person who has a physical, mental or developmental disability that greatly limits one or more major life activities, has a record of such impairment, or is regarded as having such an impairment.
- *Head of Household*: The person or persons who own(s) the house.
- *Household Member*: Any individual who is an occupant (defined below) of the unit to be rehabilitated shall be considered a "household member" (the number of household members will be used to determine household size and all household members are subject to income verification).
- *Occupant*: An occupant is defined as any immediate family member (mother, father, spouse, son/daughter of the head of household who has resided in the

dwelling unit for at least 3 months prior to the submission of the family's application.

- *Veteran*: A person who is a military veteran, is defined as one who served in the active military, naval, or air service (i.e. Army, Navy, Air Force, Marine Corps, and Coast Guard; as a commissioned officer of the Public Health Service; or as a commissioned officer of the National Oceanic and Atmospheric Administration or its predecessors), and who was discharged or released there from under conditions other than dishonorable. Provide DD-214 form to demonstrate.

Recipients of assistance under ESFRLP will be chosen by the above criteria without regard to race, color, religion, national origin, sex, familial status and disability.

### **What Are The Terms of Assistance Under ESFRLP?**

The form of ESFRLP assistance is a 0% interest, forgivable loan covering the hard costs associated with the rehabilitation of the home and a grant for the soft costs. These will be two separate documents or sets of documents.

The Loan: To provide assistance to households selected for the project, NCHFA will create loan documents including a Promissory Note and Deed of Trust covering hard costs for the rehabilitation in an amount not to exceed \$30,000. This loan covering the hard costs remains 0% interest and forgivable at \$5,000 per year for as long as the owner resides in the home or until the balance is reduced to \$0. The term of the loan is dependent upon the loan amount and the number of years it takes to bring the balance of the loan to \$0 when forgiven at \$5,000 per year. For example, if the amount of the loan is \$21,452, then the term is 5 years (\$20,000 forgiven over the first 4 years and \$1,452 forgiven at the end of the 5<sup>th</sup> year). The maximum term of the typical loan will be six years.

As long as the borrower lives in the home, no payments on the loan will be required. If the recipient prefers, the loan can be paid off at any time to NCHFA, either in installments or as a lump sum payment. Furthermore, under certain circumstances NCHFA may allow assumption or refinancing of the loan. Should an heir inherit the property and choose to live in the house as their permanent residence, they may assume the loan without being income eligible. However, the lien remains on the property. A buyer who may wish to buy the property to live in may assume the loan so long as they can document that they are income-eligible ( $\leq 80\%$  AMI). Default can occur if the property is sold or transferred to another person and/or if the borrower fails to use the home as a principal residence, without prior written approval of the North Carolina Housing Finance Agency.

The Grant: To pay for soft costs including application outreach/intake/management, environmental reviews/inspections/testing and project assessment/documentation/estimating/bidding, NCHFA will create a Grant Agreement not to exceed \$10,000. The grant has no repayment or recovery terms.

## **What Kinds Of Work Will Be Done?**

Each house selected for assistance must be rehabilitated to meet ESFRLP Rehabilitation Criteria. That means every house must, upon completion of the rehabilitation:

- meet the more stringent requirements of either NCHFA's Essential Property Standard or Sampson County's Minimum Housing Code (These are "habitability standards" which set minimum standards for decent, safe and sanitary living conditions.) Additionally, the home must meet applicable Lead-Based Paint regulations 24 CFR part 35.
- retain no "imminent threats" to the health and safety of the home's occupants or to the home's "structural integrity". (An example of an imminent threat to occupants as well as to the home's structural integrity is an infestation of insects or a crawlspace that is too damp).

These requirements are spelled out in full in the ESFRLP Administrator's Manual which you may view, at reasonable times, upon request, at the Community Development office of Sampson County or anytime online at [www.NCHFA.com](http://www.NCHFA.com).

In addition to the above items that must be done to satisfy NCHFA requirements, the scope of work may include approved items meant to reduce future maintenance and operational costs or to further protect homes from natural disasters and/or home modifications designed to enable greater accessibility for household members to function more independently as they age.

Once the rehabilitation is complete, major systems in the home that, with reasonable maintenance and normal use, should be capable of lasting another 5 years include: structural support, roofing, cladding and weatherproofing, plumbing, electrical and heating/cooling systems.

Of course, contractors performing work funded under ESFRLP are responsible for meeting all local requirements for permits and inspections. All work done under the program must be performed to meet NC State Residential Building Code standards. (This does not mean, however, that the whole house must be brought up to current Building Code Standards.)

## **What About Lead-based Paint?**

Until it was discovered to be a health hazard, lead was used for centuries to make house paints. Now we know that lead exposure is a serious problem for everyone and especially small children. Selling lead paint was outlawed in 1978, but many older buildings still contain lead paint and children are still being poisoned.

Under ESFRLP, a lead hazard evaluation must be performed on every home selected for rehabilitation that was built before 1978. The specific type of evaluation and the appropriate lead hazard reduction work performed will depend on the total amount of Federal funds used to rehabilitate the home, as per 24 CFR part 35. If

required, lead-based paint hazard reduction and/or abatement will be performed by contractors who are trained and certified to perform such work.

It may be necessary for the household to relocate during the construction process for protection against lead poisoning. If relocation is required, it shall be the responsibility of the homeowner to pay for the relocation.

### **Who Will Do the Work On the Homes?**

Sampson County is obligated under ESFRLP to ensure that quality work is done at reasonable prices and that all work is contracted through a fair, open and competitive process.

To meet these requirements, Sampson County will invite bids only from licensed general contractors. For additional information about procurement and disbursement procedures, please refer to the Sampson County ESFRLP Procurement and Disbursement Policy for the 2020 Cycle.

- Licensed general contractors will be invited to bid on each job, and the lowest responsive and responsible bidder will be selected for the contract. Every reasonable effort will be made to receive at least three bids.
- All contractors working on pre-1978 units must be Renovation, Repair and Painting Rule (RR&P) Certified Renovators working for Certified Renovation firms.
- Homeowners who know of quality rehabilitation contractors are welcome to invite them to apply.

### **What Are The Steps In The Process, From Application To Completion?**

You now have information about how to apply for the Essential Single-Family Rehabilitation Loan Pool (ESFRLP) and what type of work can be done through the Program. Let's go through the steps for getting the work done:

- 1. Completing a pre-application form:** Homeowners who wish to apply for assistance must do so by October 30, 2020. Applicants after this date will be placed on a list for a review of qualifications only after it is determined that sufficient funds and time remain available once those who applied by the application deadline have been qualified, ranked and their needs determined.] Apply by contacting Juanita Brewington, Purchasing & Contracting Officer, Sampson County, 406 County Complex Road, Suite 120 (Building C), at (910) 592-7181 ext. 2256. Proof of ownership and income will be required. Those who have applied for housing assistance from Sampson County in the past will not automatically be reconsidered and must complete a new pre-application form.
- 2. Client Referral and Support Services** Many homeowners seeking assistance through the Essential Single-Family Rehabilitation Loan Pool may also need other services. If the ESFRLP staff meet the homeowner during the application

process, they will provide pamphlets and a list of the agencies with contact information for the resources and programs available in the County. For households that meet the requirements of the pre-application step and qualify to receive assistance through the ESFRLP program, additional verbal discussion will be offered during the Screening of applicants and/or Pre-rehab inspection steps of the program

3. **Preliminary inspection:** Sampson County's Rehabilitation Specialist will visit the homes of eligible households to determine the need and feasibility of the home for rehabilitation.
4. **Screening of applicants:** Applications will be ranked by Sampson County based on the priority system outlined on page 4 and the feasibility of rehabilitating the house. Households to be offered assistance will be selected by December 30, 2020. Household income will be verified for program purposes only (information will be kept confidential). NCHFA will verify ownership of the property by conducting a title search. From this review, the five most qualified applicants will be chosen according to the priority system described above; the remaining applicants will be placed on a list of alternates in the order that they qualified. Sampson County will then submit to NCHFA an ESFRLP Loan Application and Reservation Request for each potential borrower for approval. Applicants not selected for ESFRLP assistance will be notified in writing.
5. **Written agreement:** A HOME Owner Agreement, between the homeowner and Sampson County, will be executed as part of the Loan Application and Reservation Request procedure (that formally commits funds to a dwelling unit). This agreement will certify that the property is the principal residence of the owner, that the post-rehab value of the property will not exceed 95% of the 203(b) limits established by HUD and defines the ESFRLP maximum amount and form of assistance being provided to the homeowner, the scope of work to be performed, the date of completion and the rehabilitation criteria and standards to be met.
6. **Pre-rehab inspection & unit evaluation:** Sampson County's Rehabilitation Specialist will visit the home again for a more thorough inspection. All parts of the home must be made accessible for inspection, including the attic and crawlspace. The owner should report any known problems such as electrical short circuits, blinking lights, roof leaks, etc. Each unit will be evaluated for energy-saving opportunities such as air-sealing and duct-sealing as well as for environmental concerns, such as lead based paint hazards, radon and asbestos.
7. **Work write-up:** The Rehabilitation Specialist will prepare complete and detailed work specifications (known as the "work write-up"). A final cost estimate will also be prepared by the Rehabilitation Specialist and held in confidence until bids are received from contractors.
8. **Lead and Other Testing:** Sampson County will arrange for a certified firm to inspect all pre-1978 constructed homes for potential lead hazards (required) and



asbestos hazards (as deemed necessary by the Rehabilitation Specialist in all homes built during, before and after 1978). All homes will be tested for radon. The owner will receive information covering the results of the tests and any corrective actions that will be needed as part of the rehabilitation.

- 9. Bidding:** The work write-up and bid documents will be conveyed to licensed general contractors who will be given no less than seven days in which to inspect the property and prepare bid proposals. Each contractor will need access to all parts of the house in order to prepare a bid. A bid opening will be conducted in the Board Room located at the Sampson County Finance Office, 406 County Complex Road, Suite 120 (Building C), Clinton, NC 28328 at a specified date and time, with all bidders invited to attend.
- 10. Contractor selection:** Within 72 hours of the bid opening the winning bidders will be selected. All bidders and the homeowner will be notified in writing of 1) the selection of the winning bid, 2) the amount of the winning bid, 3) the amount of the County's cost estimate, and 4) the specific reasons for the selection, if other than the lowest bidder was selected.
- 11. Loan closing and contract execution:** Loan documents (Promissory Note and Deed of Trust) will be prepared by NCHFA as the lender and executed by the homeowner. *By law, homeowners have the right to hire legal representation of their choosing at loan closing.* If a homeowner does not have "representation" at the closing, the borrower must sign a NCHFA "Legal Advice Disclosure". Rehabilitation contract documents will be executed by the homeowner and contractor with Sampson County signing on as an interested third party prior to the commencement of any construction. Sampson County will facilitate with the loan closing and recordation of these documents and forward the recorded documents to NCHFA.
- 12. Pre-construction conference:** A pre-construction conference will be held at the selected applicant's home. At this time, the homeowner, contractor and ESFRLP Sampson County program representatives will discuss the details of the work to be completed. Starting and ending dates will be finalized, along with any special arrangements such as weekend or evening work hours and disposition of items to be removed from the home. Sampson County will issue a "proceed order" formally instructing the contractor to commence work by the agreed-upon date.
- 13. Construction:** The contractor is responsible for obtaining and posting all permits for the project before beginning work. Sampson County ESFRLP Program staff will closely monitor the contractor during the construction period and local Code Enforcement Officials will inspect the work. To protect personal property the homeowner will be responsible for working with the contractor toward clearing work areas of personal property as needed as much as practicable. The contractor will be responsible for all clearing and cleaning activities necessary due to construction activities.
- 14. Change Orders:** All changes to the scope of work must be approved by the owner, the contractor, Sampson County's Rehabilitation Specialist, and the

Sampson County Program Administrator and reduced in writing as a contract amendment ("change order"). The owner, contractor and two Sampson County personnel must execute any change order agreements to the construction contract.

- 15. Progress payments:** The contractor is entitled to request two partial payments and a final payment. When a payment is requested, the Rehabilitation Specialist will inspect the work within three days.
- 16. Closeout:** When the Rehabilitation Specialist and the Homeowner are satisfied that the contract has been fulfilled, the Homeowner, Project Administrator and Rehabilitation Specialist will sign off on the work. All material and workmanship will be guaranteed by the contractor for a period of one-year from the date of completion of the work as established by the date on the final pay requisition.
- 17. Post-construction conference:** Following construction, the contractor and the Rehabilitation Specialist will sit down with the Homeowner one last time. At this conference the contractor will hand over all owner's manuals and warranties on equipment and materials to the homeowner. The contractor and Rehabilitation Specialist will go over operating and maintenance requirements for the new equipment, materials and appliances and discuss general maintenance of the home with the Homeowner. The Homeowner will have the opportunity to ask any final questions about the work.
- 18. Final loan amount determination:** If, upon completion of all rehabilitation work, the contract price has changed due to the effect of change orders, NCHFA will prepare an estoppel for a loan reduction or modification agreement for loan increases as necessary at the time of closeout of the unit to modify the loan amount when there is a need for a change order involving a change in the original loan amount). The loan will remain the property of NCHFA, with original documents remaining there for storage and "servicing. Please note that it is the responsibility of the owner to record an estoppel if they wish this to be reflected in the Deed of Trust.
- 19. The warranty period:** It is extremely important that any problems with the work that was performed be reported by the homeowner to the Sampson County Rehabilitation Specialist or other representative, as soon as possible in writing. All bona fide defects in materials and workmanship reported within one year of completion of construction will be corrected free of charge by the Contractor.

### **What are the key dates?**

If, after reading this document, you feel that you qualify for this program and wish to apply, please keep the following dates in mind:

- Applications available to the public starting July 27, 2020.
- Applications must be turned in at the Sampson County Finance Office by 5:00 PM on October 30, 2020.

- Selection of units will be made on December 30, 2020.
- All rehabilitation work must be under contract by December 31, 2022.
- All rehabilitation work must be completed by June 15, 2023.

### **How do I request an application?**

Contact:

Juanita Brewington, Purchasing & Contracting Officer  
 Sampson County  
 406 County Complex Road, Suite 120  
 Clinton, NC 28328  
 Phone: (910) 592-7181

Or: pick up an application at the Sampson County Finance Office located at 406 County Complex Road, Suite 120 (Building C), Clinton, NC 28328.

### **Is there a procedure for dealing with complaints, disputes and appeals?**

Although the application process and rehabilitation guidelines are meant to be as fair as possible, Sampson County realizes that there is still a chance that some applicants or participants may feel that they are not treated fairly. The following procedures are designed to provide an avenue for resolution of complaints and appeals.

#### During the application process:

1. If an applicant feels that his/her application was not fairly reviewed or rated and would like to appeal the decision made about it, he/she should contact Juanita Brewington, Purchasing & Contracting Officer, within five days of the initial decision and voice their concern.
2. If the applicant remains dissatisfied with the decision, the detailed complaint should be put into writing. A written appeal must be made within 10 business days of the initial decision on an application.
3. Sampson County will respond in writing to any complaints or appeals within 10 business days of receiving written comments.

#### During the rehabilitation process:

1. If the homeowner feels that construction is not being completed according to the contract, he/she must inform the contractor and the Rehabilitation Specialist, preferably in writing.
2. The Rehabilitation Specialist will inspect the work in question. If he finds that the work is not being completed according to the contract, the Rehabilitation Specialist will review the contract with the contractor and ask the contractor to correct the problem.
3. If the Rehabilitation Specialist finds that the work is being completed according to contract, the complaint will be added to the applicant's file and the Rehabilitation Specialist and the homeowner will discuss the concern and the reason for the Rehabilitation Specialist's decision.

4. If problems persist, the homeowner must put the concern in writing and a mediation conference between the homeowner and the contractor may be convened by the Rehabilitation Specialist and facilitated by the County Manager.
5. Should the mediation conference fail to resolve the dispute, the County Manager will render a written final decision.

**Final Appeal:**

After following the above procedures, any applicant or homeowner who remains dissatisfied with Sampson County's final decision may appeal in writing to Michael Handley, NCHFA, PO Box 28066, Raleigh, NC 27611-8066, (919) 877-5627.

**Will the personal information provided remain confidential?**

Yes. All information in applicant files will remain confidential. Access to the information will be provided only to Sampson County employees who are directly involved in the program, the North Carolina Housing Finance Agency, the US Department of Housing and Urban Development (HUD) and auditors.

**What about conflicts of interest?**

No employee or board member of Sampson County, or entity contracting with Sampson County, who exercises any functions or responsibilities with respect to the ESFRLP project shall have any interest, direct or indirect, in any contract or subcontract for work to be performed with project funding, either for themselves or those with whom they have family or business ties, during their tenure or for one year thereafter. Relatives of Sampson County employees or of Sampson County board members and others closely identified with, may be approved for rehabilitation assistance only upon public disclosure before the Sampson County Board of Commissioners and written permission from NCHFA.

**What about favoritism?**

All activities under ESFRLP, including rating and ranking applications, inviting bids, selecting contractors and resolving complaints, will be conducted in a fair, open and non-discriminatory manner, entirely without regard to race, color, religion, national origin, sex, familial status and disability.

**Outreach Efforts of the ESFRLP Program**

The County makes citizens aware of the ESFRLP program and other housing rehabilitation opportunities through various service providers and specific outreach efforts. At minimum, the County will advertise or publish an article about the Essential Single-Family Rehabilitation Loan Pool Program via the following media/venues: the local newspaper serving the County (The Sampson Independent), at senior centers throughout the County, on the local cable news channel, and on the County's website.

**Who can I contact about the ESFRLP program?**

Any questions regarding any part of this application or program should be addressed to:

Juanita Brewington  
Purchasing & Contracting Officer  
Sampson County  
406 County Complex Rd, Suite 120  
Building C  
Clinton, NC 28328  
Phone: (910) 592-7181

Jerry Adams  
Rehabilitation Specialist  
The Adams Company  
708 Abner Phillips Road  
Warsaw, NC 28398  
Phone: (252) 293-2770

This Assistance Policy is adopted this \_\_\_\_ day of \_\_\_\_\_ 2020.

\_\_\_\_\_  
Clark Wooten, Chairman  
Sampson County Board of Commissioners

\_\_\_\_\_  
Attest

**Sampson County**  
**Procurement and Disbursement Policy**  
**ESSENTIAL SINGLE FAMILY REHABILITATION LOAN POOL (ESFRLP2025)**

**PROCUREMENT POLICY**

1. To the maximum extent practical, Sampson County (the County) promotes a fair, open and competitive procurement process as required under the North Carolina Housing Finance Agency's (NCHFA) Essential Single-Family Rehabilitation Loan Pool (ESFRLP). Bids are invited from Contractors who are licensed general contractors in good standing.
2. Previously used licensed general contractors in good standing (ie. no unresolved past performance issues and not listed on the federal or state debarred list) will automatically receive notification of bid opportunities.
3. All contractors working on pre-1978 units must be Renovate, Repair and Paint Rule (RR&P) Certified Renovators working for Certified Renovation firms.
4. At least three (3) licensed general contractors shall be invited to bid on each job and the lowest responsive and responsible bidder shall be selected for the contract. "Responsive and responsible" means (a) the contractor is deemed able to complete the work in a timely fashion, (b) the bid is within 15%, in either direction, of the County's cost estimate, (c) the contractor has not been suspended or debarred and (d) there is no conflict of interest (real or apparent).
5. Although bid packages may be bundled for multiple job sites, the bids for multiple job sites shall be considered separate and apart when awarded and shall be awarded to the lowest responsive and responsible bidder(s) for each job site.
6. Bid packages shall consist of an invitation to bid, work write up(s) and bid sheet(s) for each job, including instructions for distribution and receipt of bids. Contractors will be given no less than seven days in which to inspect the property and prepare bid proposals. Each contractor will need access to all parts of the house in order to prepare a bid. A bid opening will be conducted in the Board Room of the Sampson County Administration Office, 406 County Complex Road, Suite 120, Clinton, NC at a specified date and time, with all bidders invited to attend.

7. Bids must include a cost-per-item breakdown with line item totals equaling the submitted bid price. Discrepancies must be reconciled prior to a contract being awarded.
8. The County reserves the right to reject any or all bids at any time during the procurement process.
9. In the event of a true emergency situation, the County reserves the right to waive normal procurement procedures in favor of more expedient methods, which may include seeking telephone quotes, faxed bids and the like. Should such methods ever become necessary the transaction will be fully documented. In the event phone bids are used, the County of Sampson will call the first three responsive contractors on the approved contractor list who have indicated a desire to be on the telephone call list. The County will track who has been called and responsive, and will rotate through the full list before beginning the rotation again.
10. All sealed bids will be opened publicly at a time and place to be announced in the bid invitation. All bidders are welcome to attend. Within 72 hours of the bid opening, after review of bid breakdowns and construction schedules, the winning bidders will be selected. All bidders and the homeowner will be notified in writing of 1) the selection of the winning bid, 2) the amount of the winning bid, 3) the amount of the County's cost estimate, and 4) the specific reasons for the selection, if other than the lowest bidder was selected.
11. The contractor is responsible for obtaining a building permit for the project before beginning work. The permit must be posted at the house during the entire period of construction. If applicable, the contractor will obtain a permit for lead hazard related activities. Sampson County ESFRLP staff will closely monitor the contractor during the construction period to make sure that the work is being done according to the work write-up (which is made a part of the rehabilitation contract by reference) and in a timely fashion. Local Code Enforcement Officials will inspect the work for compliance with the NC State Building Code and the local minimum housing code, when applicable. To protect personal property the homeowner will be responsible for working with the contractor toward clearing work areas of personal property as needed as much as practicable. The contractor will be responsible for all clearing and cleaning activities necessary due to construction activities.
12. Any change to the original scope of work must be reduced to writing in the form of a change order to be agreed upon and signed by all parties to the original contract and two representatives of the County. The change order must also detail any changes to the original contract price.

13. No work may begin prior to a contract being awarded and executed and a written order to proceed provided to the contractor. In addition, a pre-construction conference and “walk thru” shall be held at the work site prior to commencement of repair work. At this time, the homeowner, contractor and ESFRLP Sampson County program representatives will discuss the details of the work to be completed. Starting and ending dates will be finalized, along with any special arrangements such as weekend or evening work hours and disposition of items to be removed from the home. Within 24 hours of the pre-construction conference, Sampson County will issue a "proceed order" formally instructing the contractor to commence work by the agreed-upon date.
14. The County of Sampson is an equal opportunity employer, implements non-discriminatory practices in its procurement/disbursement and will make special outreach efforts to include M/WBE (Minority/Women Business Enterprise) businesses within its contractor and subcontractor pool. Contractors will be chosen by the above criteria without regard to race, color, religion, national origin, sex, familial status and/or disability.

### **DISBURSEMENT POLICY**

1. All repair work must be inspected by (a) the County’s Rehabilitation Specialist, (b) the local building or minimum housing code inspector when applicable and (c) the homeowner prior to any payments to contractors. If all work is deemed satisfactory and all other factors and written agreements are in order, payment shall be issued upon presentation of an original invoice from the contractor. Contractor should allow 21 business days for processing of the invoice for payment.
2. The contractor is entitled to request two partial payments and a final payment. The first partial payment may be requested when the work is 50% complete. The second partial payment may be requested when the work is 85% complete. When a payment is requested, the Rehabilitation Specialist will inspect the work within three days, determine percentage of job completion and calculate a payment based on 90% of the total work completed.
3. Following construction, the contractor and the Rehabilitation Specialist will meet with the Homeowner in a post-construction conference. At this conference the contractor will hand over all owner's manuals and warranties on equipment and materials to the homeowner and be available to answer homeowner questions.



4. Project Closeout: When the contractor declares the work complete, the Rehabilitation Specialist will thoroughly inspect the work. If any of the work is deemed unsatisfactory, it must be corrected prior to authorization of final payment. If the contractor fails to correct the work to the satisfaction of the County's Rehabilitation Specialist, payment may be withheld until the work is deemed satisfactory. (Contractors may follow the County's Essential Single Family Rehabilitation Loan Pool Program Assistance Policy if a dispute occurs; however, contractors shall abide by the final decision as stated in the policy). The Homeowner, Project Administrator and Rehabilitation Specialist will sign off on the work. After receipt of the contractor's final invoice, inspections, certificate of completion and lien releases, the final payment will be ordered. All material and workmanship will be guaranteed by the contractor for a period of one-year from the date of completion of the work.
  
5. The County assures, through this policy, that adequate funds shall be available to pay the contractor for satisfactory work.
  
6. All contractors, sub-contractors and suppliers must sign a lien waiver prior to disbursement of funds.

The Procurement and Disbursement Policies are adopted this the \_\_\_\_\_ day of \_\_\_\_\_ 2020.

**COUNTY OF SAMPSON:**

BY: \_\_\_\_\_  
 Clark Wooten, Chairman, Sampson County Board of Commissioners

ATTEST: \_\_\_\_\_  
 Susan J. Holder, Assistant County Manager

**CONTRACTORS STATEMENT:**

I have read and understand the attached Procurement and Disbursement Policy.

BY: \_\_\_\_\_

COMPANY NAME: \_\_\_\_\_

WITNESS: \_\_\_\_\_

# Providing Meaningful Communication with Persons with Limited English Proficiency

## County of Sampson

*The purpose of this Policy and Plan is to ensure compliance with Title VI of the Civil Rights Act of 1964, and other applicable federal and state laws and their implementing regulations with respect to persons with limited English proficiency (LEP). Title VI of the civil Rights Act of 1964 prohibits discrimination based on the grounds of race, color or national origin by any entity receiving federal financial assistance. Administrative methods or procedures, which have the effect of subjecting individuals to discrimination or defeating the objectives of these regulations, are prohibited.*

### **POLICY**

In order to avoid discrimination on the grounds of national origin the county of Sampson will take reasonable steps to ensure that persons with Limited English Proficiency (LEP) have meaningful access and an equal opportunity to participate in benefits and services for which such persons qualify. This Policy defines the responsibilities the County has to ensure LEP individuals can communicate effectively.

### **DEFINITIONS**

*Limited English Proficient (LEP) individual* – Any prospective, potential, or actual recipient of benefits or services from the county, who cannot speak, read, write or understand the English language at a level that permits them to interact effectively with County staff.

*Title VI Compliance Officer* – The person or persons responsible for administering compliance with the Title VI LEP policies.

*Substantial number of LEP* – 5% of the County estimated total population or 2,987 people, are potential applicants or recipients of the County and speak a primary language other than English and have limited English proficiency.

### **PROCEDURES**

#### **IDENTIFYING LEP PERSONS AND THEIR LANGUAGE**

The County of Sampson will promptly identify the language and communication needs of the LEP person. Staff will use a language identification card (or "I speak cards"), and LEP posters to determine the language. In addition, when records are kept of past interactions with individuals or family members, the language used to communicate with the LEP person will be included as part of the record.

## OBTAINING A QUALIFIED INTEPRETER

Title VI Compliance Officer: Susan J. Holder  
Assistant County Manager/Clerk to the Board  
406 County Complex Road  
Clinton, North Carolina, 28328  
910-592-6308

The County will obtain an outside interpreter if a bilingual staff or staff interpreter is not available or does not speak the needed language.

The County will utilize bilingual staff members in various county human services departments including the Finance Department, Department of Social Services, Health Department and Department of Aging. There are approximately ten qualified interpreters within these departments. In stances where such staff are not readily available, agencies will utilize telephone interpreter services with which the County may have contractual agreements during any fiscal year. Contractual services will be utilized to meet sign language needs.

Sampson County Finance Department – 8 am – 5 pm – 910-592-7181  
Sampson County Dept. of Social Services – 8 am – 5 pm – 910-592-7131  
Sampson County Health Department – 8 am – 5 pm – 910-592-1131  
Sampson County Dept. of Aging – 8 am – 5 pm – 910-592-4653

All staff will be provided notice of this policy and procedure, and staff that may have direct contact with LEP individuals will be trained in effective communication techniques, including the effective use of an interpreter.

## PROVIDING WRITTEN TRANSLATIONS

When translation of vital documents is needed, the County of Sampson will submit documents for translation into frequently-encountered languages. Facilities will provide translation of other written materials, if needed, as well as written notice of the availability of translation, for LEP individuals.

## PROVIDING NOTICE TO LEP PERSONS

The County of Sampson will inform LEP persons of the availability of language assistance by providing written notice in languages LEP persons will understand. Example: The notification will include, in the primary language of the applicant/recipient, the following language: **IMPORTANT: IF YOU NEED HELP IN READING THIS, ASK THE COUNTY FOR AN INTERPRETER TO HELP. AN INTERPRETER IS AVAILABLE FREE OF CHARGE.**

All interpreters and translators needed to comply with this policy shall be provided without cost to the person being served, and individuals and their families will be informed of the availability of such assistance free of charge.

At a minimum, notices and signs will be posted and provided in intake areas and other points of entry at the Sampson County Office Complex.

Notification will also be provided by an annual notification in a local newspaper.

## **MONITORING LANGUAGE NEEDS AND IMPLEMENTATION**

### **REPORTING**

The County will complete an annual compliance report.

### **MONITORING**

The County will complete a self-monitoring report on a quarterly basis, using a standardized reporting system. These reports will be maintained and stored by the Title VI Compliance Officer and will be provided upon request.

The County will cooperate, when requested, with special reviews.

## **APPLICANT/RECIPIENT COMPLAINTS OF DISCRIMINATORY TREATMENT**

### **COMPLAINTS**

The County will provide assistance to LEP individuals who do not speak or write in English if they indicate that they would like to file a complaint. A complaint will be filed in writing, contain the name and address of the person filing it or his/her designee and briefly describe the alleged violation of this policy.

The County will maintain records of any complaints filed, the date of filing, actions taken and resolution.

The County will notify the appropriate section of complaints filed, the date of filing, actions taken and resolution. This information will be provided within 30 days of resolution.

### **RESOLUTION OF MATTER**

If the matter cannot be resolved by informal means, the individual will be informed of his or her right to appeal further. This notice will be provided in the primary language of the individual with Limited English Proficiency.

The Compliance Officer will conduct an investigation of the allegations of the complaint. The investigation will afford all interested persons and their representatives, if any, an opportunity to submit evidence relevant to the complaint.

The investigation will not exceed 30 days, absent a 15 day extension for extenuating circumstances.

If the investigation indicates a failure to comply with the Act, the local unit of government, agency Director or his/her designee will so inform the recipient and the matter will be resolved by informal means whenever possible within 60 days.

If the matter cannot be resolved by informal means, then the individual will be informed of his or her right to appeal further to the Department of Justice. This notice will be provided in the primary language of the individual with Limited English Proficiency.

If not resolved, then complaint will be forwarded to Department of Justice (DOJ) and Department of Housing and Urban Development (HUD) Field Office.

Adopted this the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Clark Wooten, Chairman  
Sampson County Board of Commissioners

\_\_\_\_\_  
Susan J. Holder  
Assistant County Manager

SEAL



SAMPSON COUNTY  
DEPARTMENT OF SOCIAL SERVICES  
CLINTON, NORTH CAROLINA 28328

360 COUNTY COMPLEX RD  
SUITE 100

Director  
Sarah W. Bradshaw

TELE: (910) 592-7131  
FAX: (910) 592-4297

---

**Sampson County Department of Social Services**  
**CASH MANAGEMENT and SEGREGATION of DUTIES POLICY**

*Revised/Effective: February 4, 2020*

**I. Purpose of Policy**

The objective of this policy is to set forth procedures for handling all funds received by the Department of Social Services.

**II. Payment/Donation Sources**

This policy includes, but may not be limited to; funds received for/via the following sources: NC Health Choice, Program Integrity, Donations, Trust Checks, Returned Cash Assistance Payments, Copy Fees, Adoption Services Fees, Snack Vendor Payment, Gift Cards, and Child Support. Funds received can be in the form of cash, money order, gift card, credit card or personal/certified check.

**III. Payment/Donation Procedures (Non-Child Support)**

- A. As an employee encounters any individual with a need to make a payment/donation, they will refer the person to the *Child Support Reception Window*. Based upon availability, the Receptionist or *Processing Assistant IV* will process payment. Internally named back-ups will be used as needed. Unless there is an authorized exception, no other employees are to accept payments and/or donations. For payments via EBT Transfers or any other payment transaction requiring such program related/specialized assistance, the individual should be routed back to the lobby for assistance from a Program Integrity Representative.
- B. All funds received by the agency must be locked in the designated file cabinet until taken for daily deposit to the Sampson County Finance Office. All funds received must be deposited daily. If funds are received after the deposit has been made, "*After Deposit*" must be written on all copies of the receipt.
- C. For Receivables by Mail:
  - 1. The *Mail Clerk-Processing Assistant IV* picks up & processes mail received through USPS. The mail clerk will deliver all payments to the *Processing Assistant IV* who will log all checks or cash received via USPS onto the "Daily Cash Log" in the "Deposit Only" binder noting date received, check number or "cash", the amount, whom the payment is

received from and to whom the payment is forwarded. Payments are placed in the bank bag. The bank bag is placed into a designated file cabinet drawer and locked.

2. Additional procedures (for certain payments/donations) are as follows:

a. NC Health Choice

The *Processing Assistant IV* will pull the designated folder, find the client's letter and make sure the "extended pay by" date (written at the top of the letter by caseworker) has not expired. If the date has expired, the appropriate caseworker will be contacted. If the letter's date has not expired, the *Processing Assistant IV* will pull the letter, enter the amount paid, date paid and his/her initials and place the letter in the box for a Family & Children Medicaid Representative to pick-up throughout the day.

b. Program Integrity

The *Processing Assistant IV* writes a hand-written, pre-numbered receipt from a Sampson County Finance Office issued receipt book marked "Mail-In". Staple the white & yellow copy of the receipt to the envelope and place in the box for Program Integrity. The Program Integrity Unit will retrieve the copies of the receipt and mail the white copy to the debtor, use the yellow copy to post into the EPICS system and place it in the client's file. The pink copy remains in the receipt book.

c. Gift Card Donations/ for Christmas Cheer

The *Processing Assistant IV* writes a hand-written pre-numbered receipt from a Sampson County Finance Office issued receipt book marked "Donations Only". The white copy is given/mailed to the donor, the yellow copy goes to the designated program person, and the pink copy remains in the receipt book. The gift cards are secured in the agency safe. *Processing Assistant IV* will make a copy of all Christmas Cheer receipts and give them to the Accounting Specialist.

d. Returned Cash Assistance Payments

*Processing Assistant IV* maintains a log of all cash assistance EBT cards (Work First, Food & Nutrition, etc.) returned by the USPS and locks these cards in a designated file cabinet drawer. The *Processing Assistant IV* notifies the proper supervisor/worker of the receipt of these returned cards. The Supervisor/Designee notifies the client that we have the card. When the client comes in, they are routed to the *Processing Assistant IV*. The client must show a picture ID and sign the log before receiving the EBT card from the *Processing Assistant IV*.

D. For Receivables from Walk-Ins:

All individuals requesting to make a payment/donation are to be routed to the *Child Support Reception Window*. Based upon availability, the Receptionist or Processing Assistant IV will process payment. Internally named back-ups will be used as needed. The *Processing Assistant IV* will complete a hand-written, pre-numbered receipt from a Sampson County Finance Office issued receipt book. The white copy is given to the payee, yellow copy forwarded to the SC Finance Office with the daily deposit and the pink copy remains in the receipt book. The *Processing Assistant IV* will make a

photocopy of the yellow copy of all receipts for the Program Integrity payments and place the copy in the box for Program Integrity. The *Processing Assistant IV* will make a photocopy of the yellow copy of the receipt for all Christmas Cheer donations and give to the Accounting Specialist.

1. Payments or Donations retrieved from the drop-box shall be immediately forwarded to the *Processing Assistant IV* to be handled as described in III C. above.
2. Additional procedures (for NC Health Choice) are as follows:

The *Processing Assistant IV* will pull the designated folder, find the client's letter, and make sure the "extended pay by" date (written at the top of the letter by caseworker) has not expired. If the date has expired, the *Processing Assistant IV* will route the client to the Customer Service desk to see the appropriate caseworker. If the letter's date has not expired, the *Processing Assistant IV* will pull the "Walk-In" receipt book, take the enrollment fee via cash or credit card, and complete a hand-written, pre-numbered receipt from a Sampson County Finance Office issued receipt book. The *Processing Assistant IV* will place the cash/credit card payment in the bank bag, place the bank bag in a designated file cabinet drawer and lock the drawer. The white copy of the receipt will be given to the payer, yellow copy forwarded to the SC Finance Office with the daily deposit and the pink copy remains in the receipt book. The *Processing Assistant IV* will write the amount paid, date paid and his/her initials on the letter and place the letter in the box for a *Family & Children Medicaid Representative* to pick-up throughout the day.

#### **IV. Payment/Donation Procedures (Child Support)**

A. The Child Support Unit receipts in payments for:

- Application Fees,
- Legal Fees/Court Cost, and
- Paternity Testing Fees

B. Fees may be collected by "walk-in" (individuals visit agency and make a payment), "mail-in" and/or "in the courtroom."

C. "Walk-In" Payments

Child Support customers see the *Child Support Agent* handling their case when they visit the Agency. The Agent determines all fees for application, legal services, and paternity testing. Once a fee is determined, the Agent escorts the customer to the *Processing Assistant IV* who completes a hand-written, pre-numbered receipt from a Sampson County Finance Office issued receipt book. The receipt must contain the IV-D case number, case names (Jones vs Smith) and type of payment. The white copy of the receipt is given to the payor, yellow copy forwarded to the SC Finance Office with the daily deposit and the pink copy remains in the receipt book. The *Processing Assistant IV* makes a photocopy of the receipt and forwards to the assigned *Child Support Agent*. The funds are then placed in a bank bag and secured in a designated locked file drawer.



D. “Mail-in” Payments:

The *Child Support Unit's Mail Clerk* receives & processes mail received through USPS. The mail clerk will route all payments to the *Processing Assistant IV* with the IV-D case number, case names (Jones vs Smith) and type of payment. The *Processing Assistant IV* will complete a hand-written, pre-numbered receipt from a Sampson County Finance Office issued receipt book for each payment received in the mail. The white copy of the receipt and a photocopy of the receipt is forwarded to the *Child Support Mail Clerk* for mailing to the payor. The yellow copy of the receipt is forwarded to the SC Finance Office with the daily deposit, and the pink copy remains in the receipt book. The Processing Assistant IV makes a photocopy of the receipt and forwards to the assigned Child Support Agent. The funds are then placed in a bank bag and secured in a designated locked file drawer.

- E. The Agency may receive a check from an insurance company, made payable to the Sampson County Clerk of Court, for payment to satisfy a lien in place against a non-custodial parent (to be applied toward child support arrearages). When this occurs, the check must be logged in the “log book” by the *Child Support Processing Assistant IV*, and immediately given to a *Child Support Supervisor*. The check is then secured in the Agency vault until the next scheduled court date, at which time the check will be presented in court by the Agency for receipt by the Sampson County Clerk of Court’s Office. The Child Support Supervisor will document in the “log book” the date the check was removed from the Agency vault and taken to court.
- F. On occasion, the Child Support Unit may receive a payment from an obligor intended for his/her “court ordered child support payment.” *NCGS § 110-139(f)* which became effective October 1, 1999, directs that all CSE and Non-CSE child support payments are to be paid to the North Carolina Child Support Centralized Collections Operation (NCCSCC). Therefore, the Agency cannot receipt in any payments for court ordered child support. Should such a payment be received, the payment is to be logged in the “log book” by the Child Support Processing Assistant IV and not receipted in for deposit. The Child Support Processing Assistant IV returns the payment to the sender no later than the end of the following business day with a cover letter explaining why the payment cannot be receipted in by the Agency, documents this action in the “log book” and provide the Child Support Agent with a copy of all letters and attachments’.
- G. The Agency may also on occasion receive a check or money order in the mail made payable to NC Centralized Collections. Such payments are to be logged in the “log book” by the Child Support Processing Assistant IV and not receipted in for deposit. Said amount is returned to sender no later than the end of the following business day with a cover letter explaining why the payment cannot be receipted in by the Agency, document this action in the “log book,” and provide the Child Support Agent with a copy of all letters and attachments.

H. The Agency may receive a check or money order in the mail made payable to the Agency or made payable to the Agency on behalf of a Non-Custodial Parent as a refund due to an overpayment. This will generally only occur when there is another State Agency involved in the collection and distribution of the child support case/funds (UIFSA Action). In this instance, the check is to be given immediately to a Child Support Supervisor to be logged into the "Deposit Only Log Book" binder noting date received, check number, amount, and corresponding case number. The payment is placed in the bank bag. The bank bag is placed into a designated, locked file cabinet. The check is receipted in for deposit to the In/Out Account. The Child Support Supervisor completes a Vendor Request Form for the Non-Custodial Parent. The Child Support Supervisor then request the Child Support Lead Agent complete Check Request Form for refund of the payment to the Non-Custodial Parent. Once the check is returned to the Agency from Finance, the Child Support Supervisor mails the check to the Non-Custodial Parent.

## V. Disbursement of Gift Cards

### A. Donated Cards:

Cards that have been donated to the Agency and are designated for a specific individual or that are assigned by the Agency to a child or adult will be documented on a Donated Gift Cards ledger. The appropriate social worker for the adult or child that the card is assigned to will obtain the card from the Program Manager or Deputy Director when the card is ready to be delivered and will sign and date the ledger to verify receipt. When the card is delivered to the individual it was intended for, the recipient of the card will then sign and date the ledger. The ledger will be returned to the Program Manager or Deputy Director for storage.

### B. Cards Purchased by the Agency:

Cards that have been purchased by the Agency to be used to alleviate a crisis for individuals are stored in the Agency safe. A Social Worker or Social Work Supervisor will request a card/cards (dependent upon the need of the individual or family) from the Program Manager or Deputy Director. When the card is ready to be delivered, the Social Worker or Social Work Supervisor will sign and date the ledger to verify receipt. When the card is delivered to the individual it was intended for, the recipient of the card will then sign and date the ledger. The ledger will be returned to the Program Manager or Deputy Director for storage.

## VI. Deposits

Each workday around 3:00 pm, the *Processing Assistant IV* gathers the Child Support and DSS receipt books, the Deposit Only binder and both bank bags from the locked file cabinet and delivers all to the Accounting Technician III to prepare the daily deposits forms and deposit log. In his/her absence, deliver to the Processing Unit Supervisor (or designee) to handle.

### A. Non-Child Support:

The Accounting Technician III initials each receipt in the DSS receipt book and signs the Deposit Only binder for each item that is included in that day's deposit . The Accounting Technician III must total all payments by general ledger account breakdown and by source on the deposit form. Total by general ledger account number and the total by type must balance. All funds, the deposit form and all yellow copies of the daily receipts are placed in the bank bag and secured until released to a Medicaid Transportation-Processing Assistant IV to take to the County Finance Office.

**B. Child Support:**

The Accounting Technician III initials each receipt in the DSS receipt book and signs the Deposit Only binder for each item that is included in that day's deposit and prepares the Child Support Daily Receipt Summary. Each payment is listed individually by type on the deposit form, noting receipt number, case client(s) name(s), IV-D case number and amount paid. All funds, the deposit form and yellow copies of the daily receipts are placed in the bank bag and secured until released to a Medicaid Transportation-Processing Assistant IV to take to the County Finance Office.

- C. Each workday a Medicaid Transportation-Processing Assistant IV collects both bank bags (as addressed in A & B above), initials the deposit log and delivers the deposits to the Sampson County Finance Office. A County Finance Office staff member then completes a hand-written, pre-numbered receipt for each of the deposits. The receipt from the Sampson County Finance Office is placed into the respective bank bag, brought back to the agency by the Medicaid Transportation-Processing Assistant IV and returned to the Accounting Technician III who shall match the Sampson County Finance Office deposit receipt to the DSS/Child Support daily deposit form, and then file in the designated notebooks.

**VII. Refund Policy**

**A. Program Integrity:**

The following procedure is to be followed when a Program Integrity payment is received which results in a refund to a debtor.

1. The Program Integrity Unit will retrieve the copies of the receipt from the Program Integrity box. The Program Integrity Supervisor or designee will enter the payments into NCFAST. If the amount of the payment is more than the claim balance, this results in an overpayment of the claim and a refund is due to the debtor.
2. The Program Integrity Supervisor or designee mails the debtor a receipt, a letter notifying them that they are due a refund, and the amount of the refund.
3. The Program Integrity Supervisor or designee completes a Vendor Registration/Change Form (if needed), attaches copies of the refund notification letter to the debtor and a copy of the payment receipt, this information is forwarded to the DSS Accounting Technician III.
4. Upon receipt of the information in 3. above, the DSS Accounting Technician III completes a bill tab/check request form for the amount to be refunded, attaches the information stated in 3. above and takes to the Sampson County Finance Office.
5. The Sampson County Finance Office prepares and mails a check to the payee.

B. Child Support:

If it is discovered that any fees collected by the Child Support Unit are collected in error, or that an excess payment for fees has been received, the following outlined procedures must be followed to ensure a refund is issued:

1. The responsible agent, supervisor or other Child Support personnel will document the case file to record the reason/need for the refund;
2. The responsible agent will review the case and complete a Vendor Registration/Change Form (if needed). The agent then takes the Vendor Registration/Change form to their Child Support Lead Agent to complete a Check Request Form;
3. The Child Support Lead Agent forwards the completed Vendor Registration/Change and Check Request Forms to the Accounting Technician III for approval;
4. The Child Support Lead Agent maintains a “copy” of the completed Check Request Form in a notebook and forwards the original Check Request Form to the Sampson County DSS Accounting Technician III;
5. The Sampson County DSS Accounting Technician III then sends the Check Request Form to the Sampson County Finance Office who prepares the check;
6. When the refund check is received from the Sampson County Finance Office, the Child Support Lead Agent makes a copy of the check and puts in the notebook with the copy of the Check Request Form and notes on the “copy” of the Check Request Form; the refund check has been received;
7. The responsible agent then mails the refund check along with a cover letter to the individual whom is due to the refund. Copies of both the cover letter and the check are maintained in the hard copy of the Child Support case file.

C. Health Choice:

The following procedure must be followed when an overstated Health Choice Enrollment Fee is over-collected, or collected in error after an initial or redetermination of eligibility:

1. The responsible caseworker or unit supervisor will document the case file to record the reason/need for the refund;
2. The responsible unit supervisor will complete a Vendor Registration/Change Form (if needed) and a Check Request Form and forward the completed forms to the Income Maintenance Program Administrator;
3. The Income Maintenance Program Administrator reviews the Check Request Form, initials the form, and routes to the IM Supervisor to scan copies of the Vendor Registration/Change and Check Request Forms into the applicable Medicaid case file;
4. The Income Maintenance Supervisor forwards the original Vendor Registration/Change and Check Request Forms to the Sampson County DSS Accounting Technician III;
5. The Sampson County DSS Accounting Technician III prepares a bill tab and sends the Vendor Registration/Change and Check Request Forms to the Sampson County Finance Office;

6. The Sampson County Finance Office prepares and mails the refund check to the payee.

**D. Other Monies Received In:**

The following procedures outlined below must be followed when other monies are received in, that are not covered in A., B., and C. above:

1. The *Supervisor of the program needing a refund* will complete a Vendor Registration/Change Form (if necessary) and a Check Request Form and then notify the Accounting Specialist II of the needed refund;
2. The Accounting Specialist II will forward both forms to the Sampson County Finance Office;
3. The Sampson County Finance Office prepares and mails the refund check to the payee.

## **VIII. RECEIPTS**

VOIDED receipts must be dated, have "VOIDED," written on them, reason for voiding the Receipt and initialed by the person voiding the receipt. The white and yellow copies of the VOIDED" receipt must be removed from the receipt book and forwarded to the Sampson County Finance office along with the daily deposit, and the pink copy of the voided receipt left in the receipt book.

Sampson County Finance Office issued receipt books must be utilized in sequential order.

All receipts must be hand-written in a pre-numbered Sampson County Finance Office issued receipt book. All receipts must be filled out completely, to include the department name, date of receipt, name of person from whom payment is received, sum of the payment, what the payment is for, payment breakdown (amount of cash, amount of coin, amount of check, amount of credit card) and signature of the person completing the receipt.

A line shall be drawn in red on the last receipt of the day's deposit, and written above that line the date taken for deposit to the Sampson County Finance Office, the total amount of the deposit, and the receipt number from the Sampson County Finance Office.

Under no circumstance shall the pink copy of a receipt ever be removed/torn from a receipt book.

## **IX. VOIDED CHECKS**

In the event that a check written by Sampson County needs to be voided, the holder should write or stamp VOID over the signatures, write an explanation on it, date, sign and give to the Accounting Specialist. They will request the Finance office void the check and delete the

corresponding invoice, date and sign. The Accounting Specialist will make a copy of the check to be given to the Accounting Technician and route the original check to the Finance Office.

**X. PETTY CASH**

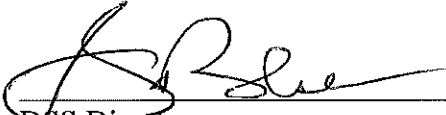
A Petty Cash fund will be used by authorized Agency Representatives for the transactions sanctioned by this policy. This fund will be secured at all times and will be counted/balanced daily by the Accounting Technician III.

**XI. SAMPSON COUNTY DSS CASH MANAGEMENT and SEGREGATION of DUTIES  
INTERNAL AUDIT PROCEDURES**

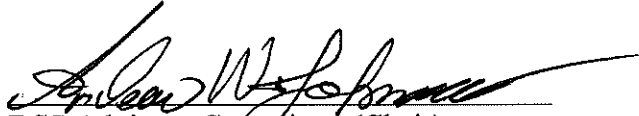
Sampson County DSS established Cash Management and Segregation of Duties Policy Audit Procedures on April 1, 2012. Sampson County DSS Human Services Evaluator conducts a quarterly review of the SAMPSON COUNTY DSS CASH MANAGEMENT and SEGREGATION of DUTIES POLICY. Upon completion of this audit, the Evaluator prepares a written Finding's Report and schedules a Finding's Conference with the DSS Director, Accounting Specialist, Income Maintenance Program Manager, Child Support Manager and Services Program Manager. During the Findings Conference, the Evaluator provides the written findings and their comments and recommendations.

In addition to the above steps, current Agency procedures (as established for the various unit/program areas) are to be followed for required actions beyond the receipting and depositing of all fund sources as addressed in Part II (above) of this policy.

**Policy Approved by:**

  
\_\_\_\_\_  
DSS Director

1-10-2020  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
DSS Advisory Committee (Chair)

2-12-2020  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Sampson County Board of Commissioners

\_\_\_\_\_  
Date

Sampson County  
Office of Tax Collector

Phone 910-592-7081  
Fax 910-592-4865

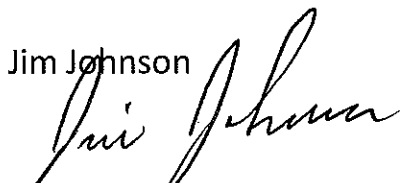
Clinton, N.C. 28329-0207

P.O. Box 207

To: Ed Causey, County Manager  
From: Jim Johnson, Tax Administrator  
Date: March 27, 2020  
Subject: Advertisement of Tax Liens on Real Property

At the February 3, 2020 regular meeting the Sampson County Board of Commissioners set Thursday, April 2, 2020 as the date to advertise tax liens on real property pursuant to GS 105-369. Due to the threat of COVID-19 the local newspaper, The Sampson Independent, will only publish a Wednesday and Saturday edition beginning the week of March 30, 2020 until further notice. After consultation with the county attorney and the School of Government the decision was made to advertise the tax liens in the Wednesday, April 1, 2020 edition. I respectfully request that the Board of Commissioners ratify the change in advertisement date.

Jim Johnson



Sampson County Tax Administrator

## NOTICE OF RESIDUAL PETROLEUM

CLINTON-SAMPSON AIRPORT, SAMPSON County, North Carolina  
(Site name)

**The property that is the subject of this Notice (hereinafter referred to as the “Site”) contains residual petroleum and is an Underground Storage Tank (UST) incident under North Carolina’s Statutes and Regulations, which consist of N.C.G.S. 143-215.94 and regulations adopted thereunder. This Notice is part of a remedial action for the Site that has been approved by the Secretary (or his/her delegate) of the North Carolina Department of Environment Quality (or its successor in function), as authorized by N.C.G.S. Section 143B-279.9 and 143B-279.11. The North Carolina Department of Environment Quality shall hereinafter be referred to as “DEQ”.**

### NOTICE

Petroleum product was released and/or discharged at the Site. **Petroleum constituents remain on the site, but are not a danger to public health and the environment, provided that the restrictions described herein, and any other measures required by DEQ pursuant to N.C.G.S. Sections 143B-279.9 and 143B-279.11, are strictly complied with.** This "Notice of Residual Petroleum" is composed of a description of the property, the location of the residual petroleum and the land use restrictions on the Site. The Notice has been approved and notarized by DEQ pursuant to N.C.G.S. Sections 143B-279.9 and 143B-279.11 and has/shall be recorded at the Sampson County Register of Deeds’ office.

Book \_\_\_\_, Page \_\_\_\_.

Any map or plat required by DEQ has been/shall be recorded at the Sampson County Register of Deeds’ office Map Book 104, Page 34, and has been/shall be incorporated into the Notice by this reference.

### Source Property

The City of Clinton and Sampson County are the owners in fee simple of all or a portion of the Site, which is located in the County of Sampson, State of North Carolina, and is known and legally described as:



*That Map recorded in Map Book 104, Page 34 Sampson County Register of Deeds*

For protection of public health and the environment, the following land use restrictions required by N.C.G.S. Section 143B-279.9(b) shall apply to all of the above-described real property. These restrictions shall continue in effect as long as residual petroleum remains on the site in excess of unrestricted use standards and cannot be amended or cancelled unless and until the Sampson County Register of Deed receives and records the written concurrence of the Secretary (or his/her delegate) of DEQ (or its successor in function).

**PERPETUAL LAND USE RESTRICTIONS**

*Groundwater: Groundwater from the site is prohibited from use as a water supply. Water supply wells of any kind shall not be installed or operated on the site.*

**ENFORCEMENT**

The above land use restriction(s) shall be enforced by any owner, operator, or other party responsible for the Site. The above land use restriction(s) may also be enforced by DEQ through any of the remedies provided by law or by means of a civil action, and may also be enforced by any unit of local government having jurisdiction over any part of the Site. Any attempt to cancel this Notice without the approval of DEQ (or its successor in function) shall be subject to enforcement by DEQ to the full extent of the law. Failure by any party required or authorized to enforce any of the above restriction(s) shall in no event be deemed a waiver of the right to do so thereafter as to the same violation or as to one occurring prior or subsequent thereto.

IN WITNESS WHEREOF, Clark H. Wooten, Chair of the Board of Commissioners of Sampson County, North Carolina, and Luther D. Starling, Jr., Mayor of the City of Clinton, North Carolina, have caused this Notice to be executed pursuant to N.C.G.S. Sections 143B-279.9 and 143B-279.11, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

[Signatures on following pages]

Sampson County Board of Commissioners

*(name of responsible party if agent is signing)*

By: \_\_\_\_\_  
*(signature of responsible party, attorney or other agent if there is one)*  
Chair  
*(Title of agent for responsible party if there is one)*

Signatory's name typed or printed: Clark H. Wooten

NORTH CAROLINA \_\_\_\_\_ COUNTY  
*(Name of county in which acknowledgment was taken)*

I certify that the following person personally appeared before me this day, acknowledging to me that he signed the foregoing document: Clark H. Wooten, Chair of the Sampson County Board of Commissioners.

Date: \_\_\_\_\_

(Official Seal)

\_\_\_\_\_  
*(signature of Notary Public)*

\_\_\_\_\_  
*(printed or typed name of Notary Public)*

Notary Public

My commission expires: \_\_\_\_\_

City of Clinton

*(name of responsible party if agent is signing)*

By:

*(signature of responsible party, attorney or other agent if there is one)*

Mayor

*(Title of agent for responsible party if there is one)*

Signatory's name typed or printed: Luther D. Starling, Jr.

NORTH CAROLINA

COUNTY

*(Name of county in which acknowledgment was taken)*

I certify that the following person personally appeared before me this day, acknowledging to me that he signed the foregoing document: Luther D. Starling, Jr., Mayor of the City of Clinton.

Date: \_\_\_\_\_

(Official Seal)

\_\_\_\_\_  
*(signature of Notary Public)*

\_\_\_\_\_  
*(printed or typed name of Notary Public)*

Notary Public

My commission expires: \_\_\_\_\_

Approved for the purposes of N.C.G.S. 143B-279.11

\_\_\_\_\_  
*(signature of Regional Supervisor)*

\_\_\_\_\_, Regional Supervisor  
*(printed name of Regional Supervisor)*

\_\_\_\_\_ Regional Office  
UST Section  
Division of Waste Management  
Department of Environment Quality

NORTH CAROLINA  
\_\_\_\_\_ COUNTY  
*(Name of county in which acknowledgment was taken)*

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she signed the foregoing document: \_\_\_\_\_ *(full printed name of Regional Supervisor)*

Date: \_\_\_\_\_

(Official Seal)

\_\_\_\_\_  
*(signature of Notary Public)*

\_\_\_\_\_  
*(printed/typed name of Notary Public)*

Notary Public

My commission expires:\_\_\_\_\_



SAMPSON AREA TRANSPORTATION  
311 COUNTY COMPLEX RD.  
BUILDING H  
CLINTON, NC 28328  
PHONE: (910) 299-0127

ROSEMARIE OATES, DIRECTOR  
Email: [roates@sampsonnc.com](mailto:roates@sampsonnc.com)

Memorandum:

TO: Mr. Ed Causey, County Manager  
FROM: Rosemarie Oates, Director, Sampson Area Transportation  
DATE: March 5, 2020  
RE: System Safety Plan and Drug and Alcohol Policy

I am requesting the Board of Commissioners approve the updated System Safety Plan, Title VI plan, and Drug & Alcohol Testing Policy.

Please let me know if you have any questions.

Thank you,

Rosemarie Oates  
Director, Sampson Area Transportation

Attachments: System Safety Plan  
Drug & Alcohol Testing Policy

**SAMPSON AREA  
TRANSPORTATION  
SYSTEM SAFETY PLAN**

**2020**

# Table of Contents

**Section I – General System Management Plan ..... 4**

- Descriptions of Elements..... 4
- System Safety Program Plan ..... 6
- Resolution..... 9
- Annual Review ..... 10
- Mission Statement ..... 11
- System Descriptions ..... 11
- Revision Index ..... 12
- Organizational Structure ..... 13
- General Service Policies..... 14
  - Passenger Registration/Information..... 14
  - Driver Responsibility ..... 14
  - Daily Vehicle Operation ..... 16
  - Vehicle Breakdown..... 16
  - Vehicle Accident ..... 17
  - Medical Emergencies ..... 17
  - Passenger Assistance/Passenger Rules ..... 18
  - Children and Passenger Assistance..... 19
  - Rider Fares/Cost Sharing for Nutrition Site Passengers..... 19
  - Scheduling/Routes ..... 20
  - Veterans Transportation Policy and Schedule.....20
  - Complaint ..... 20
  - Service Animals ..... 21
  - Charter ..... 21
  - School Bus Policy..... 21

**Section II – Driver/ Employee Selection and Training ..... 22**

- Job Descriptions..... 23
- Initial Hiring Procedures ..... 27
- Procedures for Hiring a Safe Driver ..... 29
- New Hire Questions ..... 30
- Motor Vehicle Background Check..... 31
- Employee Information Monitoring ..... 32
- Employee Training Program..... 33
- Minimum Training Standards ..... 33
- Remedial Training.....35
- Employee Training Record ..... 36
- Ride Check – Driver Evaluation..... 38
- Performance Evaluation Policy..... 40
- Employee Conduct ..... 42
- Defensive Driving/Vehicle Operations ..... 43

Driver Responsibilities – ADA Best Practices .....	74
Emergency Operations Plan .....	87
Emergency Operations Procedures – For Building .....	89
<b>Section III – Safety Data Acquisition/Analysis.....</b>	<b>96</b>
Purpose and Objectives .....	97
Safety goals and safety meetings .....	98
Safety Meeting Report.....	99
Safety Responsibilities for Transportation Positions.....	100
Computer/Office Safety Procedures.....	104
Hazard Identification and Analysis Methodology .....	106
Blood borne Pathogen/Infection Control .....	106
Safety Terms and Conditions .....	106
Accident/Incident Procedures & Reporting Policy .....	109
<b>Section IV – Drug and Alcohol Testing Policy .....</b>	<b>127</b>
Purpose, Applicability, Definitions .....	127
Education and Training .....	133
Prohibited Substance/Conduct.....	134
Drug Testing Requirements/Procedures.....	136
Alcohol Testing Procedures.....	139
Pre-Employment Testing .....	140
Reasonable Suspicion Testing.....	142
Post-Accident Testing .....	143
Random Testing .....	145
Return-to-duty .....	146
Result of Drug and Alcohol Test Procedures .....	146
Grievance and Appeal.....	149
Information Disclosure .....	149
Attachment A: List of Safety System Employees .....	152
Attachment B: Contacts.....	153
<b>Section V – Preventive Maintenance Plan .....</b>	<b>154</b>
Letter from NCDOT and Expectations .....	154
Onboard Safety Equipment.....	156
The Plan .....	157
Preventative Maintenance Schedule.....	162
Vehicle Lift Maintenance.....	164



<b>Section VI – General Security Policy .....</b>	<b>166</b>
Purpose .....	166
Management and Accountability .....	167
Security Problem Identification .....	168
Employee Selection/Training .....	168
Audits and Drills .....	168
Documents and Access Control .....	168
Unauthorized Computer Access/Document Control.....	169
Homeland Security .....	169
Opening and Closing Procedures .....	169
Vehicles .....	170
Workplace Security Assessment Form .....	171
Security Incident Recording Form .....	172
Training Lesson Plans .....	173

# **GENERAL SYSTEM SAFETY PLAN MANAGEMENT**

## **DESCRIPTIONS OF ELEMENTS**

### **1. POLICY STATEMENT AND AUTHORITY FOR SYSTEM SAFETY PROGRAM PLAN**

- A. North Carolina Board of Transportation 2002 Resolution established the requirement for each transit system to develop and implement a System Safety Plan (SSP).
- B. Establish the SSP as an operating document that has been prepared for and approved by the transit system top management, chief executive officer or the governing board.
- C. The authority statement in the SSP should define, as clearly as possible, the following:
  1. The authority for establishment and implementation of the SSP.
  2. How that authority has been delegated through the organization.
- D. The SSP must adequately address the SIX CORE ELEMENTS.

### **2. DESCRIPTION OF PURPOSE FOR SYSTEM SAFETY PLAN**

- A. Address the intent of the *SSP* and define why it is being written.
- B. Establish the safety philosophy of the whole organization and provide a means of implementation.
- C. An *SSP* could be implemented for the following reasons:
  - To establish a safety program on a system wide basis.
  - To provide a medium through which a system can display its commitment to safety.
  - To provide a framework for the implementation of safety policies and the achievement of related goals and objectives.
  - To satisfy federal and state requirements.
  - To meet accepted industry standards and audit provisions.
  - To satisfy self-insurance or insurance carrier provisions.
- D. The relationship of system safety to system operations should be defined.
- E. All departments involved must have a clear definition of their individual responsibilities relative to the scope of the *SSP*.
- F. This section should also contain system safety definitions applicable to the operating systems.

### **3. CLEARLY STATED GOALS FOR VEHICLE SAFETY MANAGEMENT PROGRAM**

- A. The overall goal of an *SSP* is to identify, eliminate, minimize and control safety hazards and their attendant risks by establishing requirements, lines of authority, levels of responsibility and accountability, along with methods of documentation for the organization.
- B. These goals should be system-specific, tailored to the individual needs of the system, as well as being:
  1. Long term - the goal must have broad and continuing relevance.
  2. Meaningful - they must not be so broad as to be meaningless; desired results must be identified.
  3. Realizable - any goal that meets the first two criteria, but cannot be attained is

meaningless.

C. Example:

1. A goal might be to establish a high level of safety comparable to other transit systems in the U.S.
2. Identify, eliminate, minimize, and/or control all safety hazards
3. Provide appropriate action and measures to obtain necessary safety-related agreements, permits and approvals from outside agencies, where applicable.

#### 4. IDENTIFIABLE AND ATTAINABLE OBJECTIVES

A. Objectives are the working elements of the *SSP*, the means by which the identified goals are achieved.

1. Must be quantifiable and meaningful.
2. Met through the implementation of policies.

B. Policies are central to the *SSP* and must be established by top management.

1. They set the framework for guiding the safety program, on a relatively long-term basis.
2. Policies are measurable.
3. Policies are methods for reaching a specified objective.

C. Example:

The establishment of a safety program incorporating public, patron, employee, and property safety including fire protection, loss prevention and life safety requirements.

- **Policies depend on the goals defined by the transit system and its safety philosophy.**

#### 5. SYSTEM DESCRIPTION/ORGANIZATIONAL STRUCTURE

A. System Description

1. Briefly describe the system's characteristics. The information should be sufficient to allow non-technical person and those not employed in transit to understand the system and its basic operation.

2. Components that should be included in the system description:

- a. History
- b. Scope of service
- c. Physical features
- d. Operations
- e. Maintenance
- f. System Modifications

B. Organizational Structure

1. Organizational diagrams showing the title of each position.
2. Diagram showing the structure of the system safety unit identifying the key positions.
3. Diagrams showing the relationships and lines of communication between the system safety unit and other departments in the organization.
4. Describe the relationship of the transit system to local political jurisdictions.

## SYSTEM SAFETY PLAN

### **Program Description:**

The System Safety Plan (SSP) was developed utilizing established guidance listed in the procedural manuals of the North Carolina Department of Transportation Standard Operating Procedure SSPP-001 and the State Management Plan. The SSP consists of and addresses the required six (6) major elements:

1. Driver/Employee Selection
2. Driver/Employee Training
3. Safety Data Acquisition Analysis
4. Drug Alcohol and Abuse Program
5. Vehicle Maintenance
6. Security

Sampson Area Transportation's number one priority is adherence to policies and procedures of the core elements. All of the elements listed are equal in importance and the policies and procedures must be met. The compliance will ensure that we meet all Federal Transportation Administration (FTA) and North Carolina Department of Transportation Public Transportation Division (NCDOT/PTD) policies and regulations.

### **Driver/Employee Selection Element:**

Fair hiring practices are used to select employees. Each potential employee will complete a written application. The Executive Director and supervisor shall interview each potential employee.

### **Driver/Employee Training Element:**

The minimum requirements for vehicle operator training are Defensive Driving, Americans with Disabilities Act, Bloodborne Pathogens and Emergency Procedures for Vehicle Operators. In addition to the minimum requirements the follow actions must be completed:

1. The training must be completed annually.
2. The training material must be on file for review by NCDOT/PTD.
3. Records of each individual trained must be retained on file for five (5) years.
4. Each driver must have an annual driver's performance evaluation to provide refresher training, assess skills, techniques, knowledge, etc...

### **Safety Data Acquisition Analysis Element:**

The goal of the Safety Program is the reduction of accidents and injuries to transit customers, employees and the general public. Safety is a shared responsibility between system management and employees. It is the policy of Sampson Area Transportation to provide a place of employment that is free from recognized hazards that could result in death or serious injury to employees, customers or the general public. It is the responsibility of each employee to report all incidents or unsafe conditions to their supervisor. Supervisors must immediately take necessary corrective action to prevent unsafe conditions.

Prohibited behaviors are behaviors that are in violation of the System Safety Policy. Such behaviors include behaviors that threaten the safety of employees, customers and the general public. Other unacceptable behaviors include those that result in damage to system, employee and public and/or private property. An employee who intentionally violates the safety policy and procedures will be subject to appropriate disciplinary action, as determined by the findings of an investigation. Such discipline may include a warning, demotion, suspension or immediate dismissal. In addition, such actions may cause the employee to be held legally liable under State or Federal Law.

**Drug Alcohol and Abuse Program Element:**

The goal is to provide a safe, healthy and productive drug-free work environment for all employees. A person being under the influence of a drug or alcohol while on the job poses serious safety and health risk to the user, co-workers as well-as passengers. Sampson Area Transportation has established a policy of a drug-free work environment. A standard of zero tolerance for use of alcohol, illegal substances, or the misuse of prescription medications during work hours or the presence of these substances in the body during work hours regardless of when consumed. Random drug test will be administered.

**Vehicle Maintenance Element:**

The goal is to ensure each vehicle and wheelchair lift is properly maintained to maximize the service life, maintain reliability, mitigate high maintenance costs and sustain proper safety and mechanical condition. To accomplish this goal, we will at a minimum adhere to the vehicle manufacturer's maintenance/service manual and the wheelchair lift service manual.

**Security Element:**

The overall purpose of the Security Program is to optimize -- within the constraints of time, cost, and operational effectiveness -- the level of protection afforded to vehicles, equipment, facilities, passengers, employees, volunteers and contractors, and any other individuals who come into contact with the system both during normal operations and under emergency conditions.

The security of passengers and employees is paramount to promoting the objectives of FTA and NCDOT. We will take all reasonable and prudent actions to minimize the risk associated with intentional acts against passengers, employees and equipment/facilities. To further this objective, Sampson Area Transportation has developed security plans and procedures and emergency response plans and procedures. The plans have been coordinated with local law enforcement, emergency services and with other regional transit providers, which addresses the conduct of exercises in support of their emergency plans, and assessment of critical assets and measures to protect these assets.

The SSP will be updated as changes occur. An annual review is required to ensure all information is current. The annual review must be adopted by the board.

This operational policy was adopted by the Sampson County Board of Commissioners.

Date \_\_\_\_\_

Month \_\_\_\_\_

Year \_\_\_\_\_

System Program Director (Signature) \_\_\_\_\_

Governing Board Chairman (Signature) \_\_\_\_\_

**RESOLUTION FOR APPROVAL OF REQUIREMENT FOR  
COMMUNITY TRANSPORTATION SYSTEMS TO IMPLEMENT  
SYSTEM SAFETY PROGRAM PLANS**

WHEREAS, the Federal Transit Administration's strategic safety goal is to promote the public health and safety by working toward the elimination of transportation related deaths, injuries and property damage;

WHEREAS, the Federal Transit Administration and the National Transportation Safety Board require the reporting of certain transportation related accidents;

WHEREAS, the vision for public transportation services in North Carolina includes the provision of safe, affordable transportation choices, statewide to those who have travel options and to those whose options are limited;

WHEREAS, the development and implementation of System Safety Program Plans by Community Transportation systems is a fundamental step toward these goals;

WHEREAS, the North Carolina Department of Transportation, Public Transportation Division recognizes the safety implications of the development of System Safety Program Plans and provides training and technical assistance to transit systems to assist in the development and implementation of their System Safety Program Plans;

WHEREAS, rural transit systems receiving federal and state funds are not currently required to have a System Safety Program Plan;

WHEREAS, the Public Transportation Division, in an effort to promote safe public transportation services recommends requiring that each rural transit system in the state that receives federal and/or state funds must have an approved System Safety Program Plan which includes provision for local system safety data collection and reporting;

WHEREAS, the Transit, Rail and Ferry Committee has concurred in this recommendation.

THEREFORE, BE IT RESOLVED AS FOLLOWS:

That the North Carolina Board of Transportation approves the recommended requirement that each Community Transportation System that receives federal and/or state funds must have an approved System Safety Program Plan which includes provision for local system safety data collection and reporting.

## ANNUAL MANAGEMENT REVIEW

The SSP should reflect the changing needs of our system programs. As a transit system evolves and operates, it must consistently monitor the programs and update the SSP accordingly. Sampson Area Transportation will annually review the SPP. Any additions, subtractions, or elaborations will be submitted to the Transportation Advisory Board and NCDOT. Final say for amendments to the SSP will be with the Sampson County Board of Commissioner.

To ensure that this occurs, Sampson Area Transportation will submit an annual report that is provided from the NCDOT/Public Transportation Division. The annual report will be submitted to the local Transportation Advisory Board and a copy submitted to NCDOT/PTD Safety & Training Unit.

Report topics include:

- ❖ Results of incident investigations and analysis
- ❖ Identification of possible hazardous conditions
- ❖ Results of inspections
- ❖ Established plans for handling future incidents
- ❖ Recommendations for SSPP revisions
- ❖ Analysis of departmental involvement in the administration of the SSP

The Transportation Supervisor will be the one responsible for completing the report, reviewing it with the Director and the Transportation Advisory Board.



## **MISSION STATEMENT**

It is the goal of Sampson Area Transportation to provide safe, secure, reliable, and efficient transportation to all residents and citizens of Sampson County.

## **SYSTEM DESCRIPTION**

Sampson Area Transportation is a consolidated transportation system operating in Sampson County, NC. SAT offers subscription route and demand/response transportation with the following human service organizations:

Sampson Community College  
Sampson County Department on Aging  
Sampson County Department of Social Services  
Sampson County Health Department  
Sampson County Veterans Affairs

Rural General Public (RGP) service is available on all of our subscription routes, on a first-come, first serve basis. All service is accessible to persons with disabilities.

We provide service for Non-Emergency Medicaid Transportation.

The vehicle fleet of SAT consists of twenty (20) vehicles. SAT has mini-vans, regular vans, wheelchair accessible vans, and one (1) wheelchair accessible bus.

### **Service Area**

Sampson Area Transportation serves all of Sampson County. SAT also provides service to medical facilities in surrounding counties.

### **Days and Hours of Service**

SAT's offices open at 8am and close at 5pm. Transportation services are from 5am-5pm. SAT is closed for the following holidays:

Independence Day	Labor Day
Thanksgiving	Day After Thanksgiving
Christmas Eve	Christmas Day
New Year's Day	Martin Luther King Day
Good Friday	Memorial Day

**SAMPSON AREA TRANSPORTATION IS A PART OF THE SAMPSON COUNTY LOCAL GOVERNMENT. SAT WILL ABIDE BY ALL SAMPSON COUNTY POLICIES SET FORTH BY THE SAMPSON COUNTY BOARD OF COMMISSIONERS.**

**SYSTEM SAFETY PROGRAM PLAN  
POLICY AND PROCEDURE REVISION INDEX**

Policy/Procedure Name/Description	SPP#	Revision #	Date	
Vehicle Breakdown				
Policy/Procedure Name/Description	SPP#	Revision #	Date	
Policy/Procedure Name/Description	SPP#	Revision #	Date	
Policy/Procedure Name/Description	SPP#	Revision #	Date	
Policy/Procedure Name/Description	SPP#	Revision #	Date	
Policy/Procedure Name/Description	SPP#	Revision #	Date	
Policy/Procedure Name/Description	SPP#	Revision #	Date	

**ORGANIZATIONAL STRUCTURE**

Board of Commissioners

County Manager

Assistant County Manager

Transportation Advisory Board

Transportation Director

Transportation Supervisor

Transportation Office Manager

Administrative Support Specialist

Administrative Support Specialist

Administrative Support Specialist

Drivers

# General Service Policies

## **Passenger Registration**

The first step in securing the services provided through SAT is to have appropriate staff complete the transportation registration form. This form must be completed on each person and the data subsequently entered in the transportation management software.

## **Passenger Information**

Information obtained by Sampson Area Transportation from all passengers shall not be disclosed in a form that identifies a person without the informed consent of the person, or legal representative, unless the disclosure is required by court order or for program monitoring by authorized federal, state, local or other designated monitoring agencies.

All personal information contained in any records of SAT are the property of SAT. Employees of the agency shall protect and preserve such information from dissemination, except as indicated by the policies established in this section. The agency shall provide a secure place with controlled access for storage of records and files during their retention period prior to destruction.

Identifying information shall not be released to other individuals or agencies without obtaining a signed consent for release of information from the person or his/her legal representative. The meaning of informed consent shall be explained, and the person shall be told the following:

1. Contents to be released
2. That there is a definite need for the information
3. That the person can give or withhold consent, and the consent is voluntary
4. That there are statutes and regulations protecting the confidentiality of the information.

## **Driver Responsibilities**

All vehicles must be operated in a safe, lawful manner at all times.

Drivers make every effort to be on time; however, there may be times they are late due to emergencies or other uncontrollable factors.

Drivers must follow designated routes unless prior approval is received from the Transportation Coordinator.

Driver will report observations regarding passenger behavior or problems to the Coordinator.

All drivers are responsible for maintaining the vehicles in a clean and sanitary fashion. There will be no eating, drinking, or smoking in the vehicle.

All drivers are required to maintain a valid NC Class B driver's license and preferably a Commercial Drivers License.

All drivers will be subject to random, pre-employment, and post accident drug and alcohol testing as required to meet the standard as established by the Federal Transit Administration for that testing period. Also, annual license checks will be performed.

Drivers are responsible for reporting any driving infractions to the Transportation Supervisor immediately.

Drivers shall provide supervision to passengers at all times. Passengers should not be left unattended at any time.

Windshields, rear and side windows, as well as side view mirrors shall be kept clean at all times. All mirrors should be checked before every route.

Vehicles shall be kept free of all debris and any hazardous objects which could become flying objects in the event of a sudden stop. There should be no loose objects on the vehicle. All personnel belongings should be held or placed under the seat.

Passengers and drivers are required to wear seatbelts at all times. Passengers in wheelchairs are required to wear shoulder straps and lap belts, wheelchairs will be secured safely with (4) four tie down straps at all times.

- A. Drivers shall observe all local and state ordinances pertaining to the proper operation of motor vehicles. Any fines imposed for any violations which were under the drivers' control, shall be the responsibility of the driver. The county and/or agency will not be held responsible for any tickets or charges incurred by a driver for any ticket received while operating a SAT vehicle. Examples would be speeding tickets, seatbelt tickets (for drivers or passengers), or careless and reckless charges. Anything wrong with the vehicle itself should be reported-in advance—during the pre-trip inspection—to the transportation coordinator or program assistant. If the vehicle is deemed unsafe, another vehicle will be utilized so proper maintenance can be performed.
- B. Accidents, thefts, breakage, etc., shall be reported to the Supervisor immediately.
- C. The vehicles bear a permanent North Carolina license plate. This subjects anyone driving or riding on the vehicle to close scrutiny. Always drive in a manner complimenting the transportation service. All drivers are expected to drive within the traffic laws and will be reprimanded as necessary for violating the traffic laws.
- D. The vehicles are for the use of providing transportation services. The vehicles shall not be used for any personal business.

### **Daily Vehicle Operation**

Drivers must record odometer readings and destination on the designated form each time the van is in use.

Each driver shall complete a daily “walk around” to check the overall condition of the vehicle.

The need for routine maintenance shall be reported to the Office Manager who is responsible for scheduling maintenance of vehicles.

Any concerns with the vehicle should be reported to the Office Manager.

Preventive maintenance checks should be performed daily using the Safety & Maintenance Checklist (Addendum II). Any problems should be reported to the Office Manager.

The Office Manager will schedule the vehicle for changing oil, tires, fluid levels, etc.

### **Vehicle Breakdown/Incident**

In case of vehicle breakdown or other incident which would cause vehicle to not be able to continue the transportation service. Driver must contact the Office Manager immediately for assistance or instruction.

In case of breakdown:

Driver should park the vehicle clear of all traffic, if possible, and activate emergency flashers.

If the vehicle is stalled in the path of traffic, driver should activate emergency flashers. If safety and weather conditions are favorable, passengers may be moved to an area away from the vehicle and out of the path of traffic.

Under no circumstances should the driver leave passengers unattended.

Drivers and passengers shall remain together either in or out of the vehicle. No one shall leave or call for another pickup besides the Office Manager or Operations Supervisor.

The Office Manager will assign another vehicle to transport passengers, if needed. In case of other incident; such as traffic jam due to accident etc.;

The driver should contact the Office Manager immediately to give a report of the situation and to receive guidance. The Office Manager will attempt to gather further information to assist in the situation.

### **Vehicle Accident**

The driver shall check each passenger for injury.

Bloodborne Pathogen kits are located under the passenger seat on each vehicle. Each vehicle has a copy of the bloodborne pathogen policies posted.

Notify the Transportation Supervisor immediately after the accident.

Drivers shall remain calm and be assuring to the passengers. Drivers should not panic; this will only cause more stress on the passengers.

Provide necessary information to law enforcement personnel; i.e. registration, agency name, office manager name, and cause of accident.

The Director and Transportation Supervisor will go to the scene and check on the driver, passengers, and others involved in the accident, and the vehicle. The Director and Transportation Supervisor may need to go to the hospital to meet passengers and their families.

### **Medical Emergencies**

Pull the vehicle off the road away from traffic.

The driver should be talking to the passengers in a calm and assuring manner.

Determine the nature of the medical emergency.

Contact the Transportation Supervisor immediately. The Transportation Supervisor will be dispatched to the scene and/or the hospital.

**IF YOU THINK THERE IS A MEDICAL EMERGENCY, CALL 911.**

## Passenger Assistance Policy

SAT is committed to providing safe, efficient, and effective transportation services to all residents of Sampson County. The drivers will assist all passengers on and off the vehicle when requested. However, no employee shall go inside a clients' home or on any outside structure connected to the home (porch or deck). There are two exceptions. One, a wheelchair-bound individual can be pushed up or down a wheelchair ramp. This still does not allow the driver to enter the home. The individual is responsible for going in and out of their residence. The second exception is in a life-or-death emergency. At that time, the driver must use their judgment and report to the office as soon as possible. The driver will complete a report by the end of the day.

**Passenger Rules:** The following rules for passengers shall be observed by all persons riding SAT vehicles. Passengers must also observe any additional rules of SAT. Failure to abide by passenger rules may restrict ridership.

1. Always wait for the van at a safe distance from the road.
2. Take your seat promptly. There are no reserved seats unless there is a medical reason.
3. All passengers must wear seatbelts, wheelchair passengers are to be buckled and shoulder/waist straps in place.
4. Please do not: talk loudly, disturb the driver, use profanity, extend any part of the body out of the van, move or stand up when the vehicle is in motion, eat, drink, chew tobacco, spit, or smoke, or solicit fellow passengers to purchase goods or services.
5. Passengers will not be allowed to board if in the opinion of the driver they are suffering from a drug or alcohol impairment.
6. Individuals must maintain personal hygiene and cleanliness. Failure to do so could lead to denial of transportation.
7. Van drivers have the authority to refuse transportation to a rider if, in their judgement, the rider jeopardizes safety or sanitation standards.
8. It is the rider's responsibility to contact Sampson Area Transportation at 299-0127 and inform them of any changes to their schedule. Any rider who fails to notify SAT and is a "no-show" when the van is dispatched to their location on 3 different occasions within a three-month period will have their riding privileges suspended for 30 days. SAT Office Manager will advise client their riding privileges have been suspended for 30 days. SAT Office Manager will contact that rider at the end of this period to see if they are interested in reestablishing transportation. All DSS and Medicaid related no-shows will be reported to Sampson County DSS.
9. Rider wait time: Wait time is defined as the time a van waits for the client to get on the van either at the home or pickup destination. SAT will wait five (2) minutes from arrival. The driver will use the vehicle's horn in an effort to get the rider's attention. After 2 minutes, the vehicle will continue on its route.
10. It is the rider's responsibility to have the exact fare for their ride. Drivers do not carry change and should not be expected to make change. Riders without the correct fare will not be transported.

**Riders Violations OF SAT Policy:** Drivers will report violations to the Office Managers or and a warning would be given to passenger. If it occurs again, passenger could be suspended. If the rider is a Medicaid client, SAT will report to the County DSS Medicaid Transportation via an *Incident Report*.



## **Children and Passenger Assistants**

One child can ride free per adult. If a parent has two children, they must pay for one or have a second adult ride so the second child can be free. A child is defined as being under the age of 8 or 80 pounds. A passenger assistant may ride free if they are riding to help with the mobility needs of the passenger. \*Medicaid Transportation Client's assistants are paid for by Medicaid.

### **Children riding alone**

SAT will not transport a child under the age of 15 unsupervised.

### **Child safety seats**

The child's parent(s) will be responsible for having and installing a child safety seat on the van for transportation services. The child safety seat shall be age and weight appropriate. Children younger than age 8 and less than 80 pounds must have an approved age appropriate child restraint seat. Children who are 8 or over 80 pounds can be restrained in a properly fitted seat belt. It is the intent of SAT to err on the side of caution when dealing with a child seat and transportation. Additionally, it is the responsibility of the driver to ensure that the child is secured properly and legally. If there is any doubt to the child's age, weight, or restraint system needed, the driver is instructed to contact transit base. All children and passengers will follow North Carolina laws concerning seatbelt usage.

## **Public Transportation Rider Fares**

Public Transportation passengers are required to pay a fare for riding. Rural General Public funds are used to offset 90% of the cost of a trip, but rider fares are expected to offset the remaining 10% of a trip's true cost. SAT has established a fixed fare for all ROAP (Rural Operating Assistance Program) transportation programs. The fares are \$2.00 per round-trip and \$1.00 for additional stops. Fares for one-way is \$1.00.

## **Cost Sharing - Nutrition Site Passengers**

Nutrition Site Clients being transported to sites by SAT are paid for through Home and Community Block Grant Funds administered by the NC Division of Aging, when funding is available. These persons are encouraged to share in the cost of services received. A poster shall be in a designated spot in each van identifying the services subject to State of North Carolina's Division of Aging cost sharing policies and listing the actual cost of a one-way trip with a recommended contribution. A fare box will be available for the riders to deposit their donation. This poster shall be updated on an annual basis.

Cost sharing revenues shall be counted and receipted by the Office Manager or designee. Contribution revenues shall be forwarded to the Department of Aging office where they will be receipted and forwarded to the Finance Office.

## **Scheduling/Routes**

Routes shall be established to insure maximum utilization of transportation staff and vehicles.

Routes are established and modified according to participation patterns and requests for service. All routes will be established by SAT within their limits of service. New requests for service will be based on availability of transportation resources within SAT.

Transportation services operate Monday through Friday between the hours of 5:00 AM to 5:00PM and routing must work within these parameters. Clients are to call into the office and request transportation by 12:00pm two days before. At sometimes, trips can be added on after the deadline or first thing in the morning, depending on any cancellations of service.

## **Veterans Transportation Out of County**

Appointments for VA trips should be made between 7am and 12pm. Appointments for specialist traveling from other hospitals can be extended to 2pm. The Veterans Service Officer can assist in verifying the need for appointments after 12pm. Clients who are requesting “walk-in” appointments will be referred to the Sampson County Veterans Officer for help in obtaining an appointment. If a rider needs lab-work done, the VA service officer has the ability to certify that the client is in the computer for lab-work and can be seen on a “first-come, first-serve” basis. SAT will also group up more clients if possible. There will be an occasion that one (1) client will be on the schedule for a particular day and a separate client on the schedule for the next day. The Transportation Operations Supervisor or Transportation Office Manager will talk to the clients to see if one appointment can be changed to the next day. The Veterans Service Officer will be contacted if needed to help with this change. Appointments for lab work are one example that can be re-scheduled.

The fare for out-of-county veteran trips is \$5.00.

## **Complaint Policy**

Sampson Area Transportation system is a coordinated rural transportation program serving Sampson County. The system provides transportation for the elderly, the disabled, community college students, and the general public to medical and educational facilities, nutrition centers, employment, and general shopping locations. As a service provider, it is the intent of the agency that employees treat all passengers with respect and courtesy.

If any employee should receive a complaint from a passenger or anyone else regarding the transportation system, the employee will report the complaint to the Transportation Supervisor immediately. The information necessary to provide a response is the person’s

name, address, and telephone number, if possible, as well as the specifics of the complaint. A complaint form must be completed. See attachment If the complainant would prefer to call the transportation office, provide them with the telephone number.

Suggestions are also welcome from anyone and will be treated with the same consideration as a complaint. All complaints and suggestions will receive a written response as expediently as possible.

See also the Sampson County Title VI policy.

### **Service Animals Policy**

Service animals accompanying a passenger with a disability will be allowed to ride on S.A.T. vehicles. If the driver is in doubt about an animal, they have the right to question the passenger as to the authenticity of the animal being a service animal.

There are a variety of animals used to assist a passenger in traveling and other life necessities. These animals may be dogs, monkeys, Vietnamese Pigmy Pigs and some breeds of birds. The driver must realize that these animals are harm-less and are needed by the passenger in order to live an independent life. American with Disabilities Act 49 CFR 37.167

### **Charter Policy**

SAT does not actively seek to provide charter vehicles as defined in 49 CFR Part 604.

### **School Transportation Policy**

This policy is written to establish guidelines for Sampson Area Transportation to comply with 49 CFR Part 605. These regulations prohibit recipients and sub-recipients of federal transit assistance from providing exclusive public-school transportation service. These guidelines relate directly to transportation services to or from instructional programs that are provided during the regularly organized school day. Head Start is not defined as a school by the Federal Transit Administration. Transportation to Child Development Centers is classified as human service transportation and therefore is not affected by the exclusive school transportation service regulations.

#### **Policy:**

Sampson Area Transportation will not provide school related transportation. Exclusive school transportation service is defined as any trip provided by a transportation system for which passengers are restricted only to students being transported to or from school or to or from school activities.

# **DRIVER/EMPLOYEE SELECTION & TRAINING**

## **JOB DESCRIPTIONS FOR DRIVERS AND OTHER SAFETY SENSITIVE PERSONNEL**

**The following positions are considered safety-sensitive:**

- 1. Fulltime and part-time drivers**
- 2. Administrative Staff – Transportation Supervisor, Office Manager**
- 3. Volunteer Drivers**  
**Any other volunteer that receives any type of compensation**

# Driver

Department: Transportation

FLSA Status: Non-Exempt

## General Definition of Work

Performs intermediate semiskilled work providing transportation to citizens on an assigned route, assisting passengers, monitoring equipment maintenance, maintaining trip logs, records and reports, and related work as apparent or assigned. Work is performed under the limited supervision of the Transportation Services Director.

## Qualification Requirements

*To perform this job successfully, an individual must be able to perform each essential function satisfactorily. The requirements listed below are representative of the knowledge, skill and/or ability required. Reasonable accommodations may be made to enable an individual with disabilities to perform the essential functions.*

## Essential Functions

Operates transit vehicle on an assigned route and schedule.

Performs daily inspections of vehicle; reports defects and/or maintenance needs.

Transports citizens, children and the physically and mentally disabled to doctors, on business or shopping trips, outings, points of interest, employment and daycare; returns them to their homes.

Assists passengers entering and leaving the vehicle, when necessary; carries packages for passengers when necessary; operates wheelchair lift.

Prepares trip records regarding fares, mileage, passengers, times, etc.; prepares and submits incident/accident reports as needed.

Provides information and directions to passengers and the general public.

Operates two-way radio and/or cell phone; reports unusual traffic conditions, bus conditions, passenger emergencies or other problems.

## Knowledge, Skills and Abilities

General knowledge of the principles and practices of operating and servicing motor vehicles; general knowledge of the traffic laws and regulations governing motor vehicle operation; general knowledge of the geography of the County, surrounding areas, and the location of streets and important buildings; general knowledge of the Americans with Disabilities Act; skill and care in the operation of the equipment; ability to deal tactfully with participants; ability to understand and follow oral and written directions; ability to establish and maintain effective working relationships with associates and the general public.

## Education and Experience

High school diploma or GED and moderate experience in the operation of motorized equipment, or equivalent combination of education and experience.

## Physical Requirements

This work requires the occasional exertion of up to 50 pounds of force; work regularly requires sitting, speaking or hearing, using hands to finger, handle or feel, reaching with hands and arms and repetitive motions and occasionally requires standing, walking, climbing or balancing, stooping, kneeling, crouching or crawling, tasting or smelling, pushing or pulling and lifting; work has standard vision requirements; vocal communication is required for expressing or exchanging ideas by means of the spoken word; hearing is required to perceive information at normal spoken word levels; work requires preparing and analyzing written or computer data, visual inspection involving small defects and/or small parts, operating motor vehicles or equipment and observing general surroundings and activities; work frequently requires exposure to outdoor weather conditions and occasionally requires exposure to fumes or airborne particles, exposure to vibration and exposure to bloodborne pathogens and may be required to wear specialized personal protective equipment; work is generally in a moderately noisy location (e.g. business office, light traffic).

## Special Requirements

Must have clean driving record upon hire.  
Obtain CPR and First Aid certifications within six months of hire.  
Valid commercial driver's license in the State of North Carolina.

Last Revised: 5/19/2014

## Transportation Operations Supervisor

Department: Transportation

FLSA Status: *Exempt*

### General Definition of Work

Performs difficult skilled technical and administrative work planning, directing, coordinating and supervising the transportation services and staff, preparing and monitoring grants, preparing and processing billings, preparing and maintaining records and files, and related work as apparent or assigned. Work is performed under the general direction of the Director of Aging/In-Home Services. Divisional supervision is exercised over all personnel within the division.

### Qualification Requirements

*To perform this job successfully, an individual must be able to perform each essential function satisfactorily. The requirements listed below are representative of the knowledge, skill and/or ability required. Reasonable accommodations may be made to enable an individual with disabilities to perform the essential functions.*

### Essential Functions

Recruits and selects personnel; assigns, directs and inspects the work of staff; disciplines and evaluates staff performance; develops staff schedules; reviews trip schedules.

Researches federal and state sources for available funding assistance; assists with and/or prepares grant applications; monitors grant funds and expenditures; prepares related financial and statistical reports and invoices.

Answers phone; receives and responds to inquiries; resolves passenger and citizen complaints regarding transit services; performs client intake and explains program policies and procedures.

Develops and implements department policies and procedures; ensures compliance with government regulations; maintains current knowledge of transportation issues.

Attends the Transportation Advisory Board and Board of Commissioner meetings; reports on services and recommends grant applications, service changes, etc.

Assists with the operation of two-way radio and/or cell phone; reports unusual traffic conditions, bus condition, passenger emergencies or other problems.

Oversees the maintenance of vehicles, office equipment, building and grounds and wheelchair lift stations.

Prepares and maintains a variety of records, reports and logs.

Prepares fare deposits; reconciles and records fares received.

Oversees and participates in mandated training including federal laws and regulations, transportation safety, drug and alcohol abuse, etc.

### Knowledge, Skills and Abilities

Comprehensive knowledge of the safe and efficient operation of transit vehicles; thorough knowledge of the principles, practices, methods and equipment related to public transportation operations; thorough knowledge of the geography of the County, surrounding areas, and the location of streets and important buildings; thorough knowledge of area traffic laws; thorough knowledge of federal, state and local laws governing vehicular movements; ability to plan, organize, direct, evaluate and supervise the work of others; ability to express ideas clearly and accurately orally and in writing; ability to prepare and present financial reports; ability to prepare and maintain complex financial records, prepare and monitor grant funds; ability to establish and maintain effective working relationships with state and county officials, associates, employees and the general public.

### Education and Experience

Associates/Technical degree with coursework in transportation, business or public administration, or related field and considerable experience in public transportation planning/management with some supervisory experience, or equivalent combination of education and experience.

## Physical Requirements

This work requires the occasional exertion of up to 50 pounds of force; work regularly requires sitting, speaking or hearing and using hands to finger, handle or feel, frequently requires repetitive motions and occasionally requires standing, walking, reaching with hands and arms, pushing or pulling and lifting; work has standard vision requirements; vocal communication is required for expressing or exchanging ideas by means of the spoken word; hearing is required to perceive information at normal spoken word levels; work requires preparing and analyzing written or computer data, operating motor vehicles or equipment and observing general surroundings and activities; work occasionally requires exposure to outdoor weather conditions and exposure to bloodborne pathogens and may be required to wear specialized personal protective equipment; work is generally in a moderately noisy location (e.g. business office, light traffic).

## Special Requirements

Obtain CPR and First Aid certification within six months of hire.

CDL preferred.

Valid driver's license in the State of North Carolina.

Last Revised: 5/20/2014

# Transportation Office Manager

*Department: Transportation*

*FLSA Status: Non-Exempt*

## General Definition of Work

Performs difficult skilled administrative support work coordinating transportation to meet the various needs of the citizens, supervising and training Drivers, ensuring proper maintenance of transit vehicles, and related work as apparent or assigned. Work is performed under the limited supervision of the Transportation Operations Supervisor. Continuous supervision is exercised over assigned personnel.

## Qualification Requirements

*To perform this job successfully, an individual must be able to perform each essential function satisfactorily. The requirements listed below are representative of the knowledge, skill and/or ability required. Reasonable accommodations may be made to enable an individual with disabilities to perform the essential functions.*

## Essential Functions

Develops and provides scheduling of transportation vehicles and Drivers; develops daily routes and Driver manifests using automated software.

Operates two-way radio and/or cell phone; reports unusual traffic conditions, bus condition, passenger emergencies or other problems.

Assists in the recruitment and selection of department personnel; supervises, assigns, directs, trains and inspects the work of staff; disciplines, coaches, counsels and evaluates staff performance; reviews and approves timesheets and leave requests.

Receives inquiries, complaints and service requests and resolves them according to established policies and procedures; changes or cancels passenger trips upon request.

Coordinates passenger pick-up and drop-off times within allowed timeframes.

Maintains complex and detailed files and records; prepares travel expense reports; maintains customer and destination databases; verifies records for accuracy and completeness.

Performs daily review of trip inspection reports; reports and corrects safety issues; prepares work orders for and schedules vehicle maintenance and repair.

Performs the duties of Driver when needed.

Attends conferences and meetings as needed to maintain knowledge of driving and transportation laws.

Purchases supplies and maintains inventory.

### **Knowledge, Skills and Abilities**

Thorough knowledge of the safe and efficient operation of transit vehicles; thorough knowledge of departmental equipment, programs and procedures; thorough knowledge of the geography of the County, surrounding areas, and the location of streets and important buildings; thorough knowledge of area traffic laws; ability to plan, organize and direct the work of others; ability to express ideas clearly and accurately orally and in writing; ability to collect, summarize and present detailed information; ability to maintain detailed records; ability to operate transit vehicles safely and efficiently and to train less experienced operators regarding same; ability to establish and maintain effective working relationships with subordinates, other employees and the general public.

### **Education and Experience**

Associates/Technical degree with coursework in business administration, or related field and moderate experience as a transit operator with some supervisory responsibilities, or equivalent combination of education and experience.

### **Physical Requirements**

This work requires the frequent exertion of up to 10 pounds of force and occasional exertion of up to 50 pounds of force; work regularly requires sitting, speaking or hearing and using hands to finger, handle or feel, frequently requires reaching with hands and arms and repetitive motions and occasionally requires standing, walking, stooping, kneeling, crouching or crawling, pushing or pulling and lifting; work has standard vision requirements; vocal communication is required for expressing or exchanging ideas by means of the spoken word; hearing is required to perceive information at normal spoken word levels; work requires preparing and analyzing written or computer data, visual inspection involving small defects and/or small parts, operating motor vehicles or equipment and observing general surroundings and activities; work occasionally requires working near moving mechanical parts, exposure to fumes or airborne particles, exposure to outdoor weather conditions, exposure to vibration and exposure to bloodborne pathogens and may be required to wear specialized personal protective equipment; work is generally in a very quiet location (e.g. park trail, storage or file room).

### **Special Requirements**

Clean driving record upon hire.

First Aid and CPR certification within six months of employment.

Valid commercial driver's license in the State of North Carolina.

Last Revised: 5/19/2014



# Initial Hire Procedures

## Minimum qualifications for Employees

### **Background**

In an effort to ensure that the most competent and safe drivers/employees are employed at Sampson Area Transportation the following eligibility requirements must be met by each prospective/current employee seeking/holding a position as a driver/employee of a transit vehicle.

## **QUALIFICATIONS**

### **Application**

Each potential employee shall complete a written application. The application process will start at the local Employment Securities Commission. ESC will hold the applications till the cut-off date and then send them over to the Transportation Director. At that time, the Director and the Transportation Supervisor will review the applications and select those best qualified for interviews.

### **Interviews**

The Director, Transportation Supervisor, and Office Manager shall interview each potential employee. Each interviewer will have a copy of the interview questions and will make notes concerning the perspective employee's answers.

### **Physical Requirements – Drivers, Transportation Operation Supervisor, Transportation Office Manager**

Each applicant must meet the requirements defined in 49 CFR Part 391.41 of the Federal Motor Carrier Safety Regulations. In addition to the following requirements:

- a. Eyesight – Drivers must have vision in both eyes, normal depth perception, normal peripheral vision and be free of any disease or condition that could impair vision. Drivers must have 20/40 vision in each eye with or without corrections, and 140 degrees or better horizontal vision. Drivers must be able to distinguish between green, red and yellow.
- b. Hearing – Drivers shall have adequate hearing to assure safe response to vehicle horns, emergency vehicle sirens, and train signals.
- c. Physical Ability: Must have the physical strength to assist wheelchair passenger and other ADA passengers when loading and unloading the vehicle.

### **Age**

Drivers shall be at least twenty-one (21) years of age.

### **Knowledge of English**

Drivers/employees shall be able to read, write and speak the English language.

### **Driver/Transportation Supervisor and Office Manager Requirements**

Drivers transporting people shall hold a valid NC Driver's License or Commercial Driver's License as appropriate. In order to be considered for employment all potential employees must provide a printout of the Bureau of Motor Vehicle (DMV) report issued within the past ten (10) days. **In no case will an individual be given a road test, placed in training or allowed to operate an agency vehicle without a DMV check that is in compliance with this policy and has been approved by the Director.**

The criteria include:

- Good driving record with no Driving While Intoxicated (DWI), Driving Under the Influence (DUI) or similar charges, reckless driving, railroad crossing violations or leaving the scene of an accident offenses.
- No more than a total of two moving violations or accidents within the last three years.
- No suspended or revoked licenses within the past five (5) years for moving violations or violations of criminal laws.
- Any combination of violations, unfavorable road observations or accidents that indicates a pattern of unsafe vehicle operation behavior, whether on or off the job.
- Minimum of two (2) years driving experience.
- Ability to perform simple math.
- Reasonable knowledge of the service area and ability to read basic maps.
- A road test given by a designated Agency Supervisor is required.
- Will also adhere to any and all Sampson County Employees provisions as well.

### **Operating Skills**

Drivers shall have experience in safely driving some type of motor vehicle (including private automobile) for not less than five (5) years, including experience throughout the four seasons.

### **Criminal Record Checks – For all safety sensitive employees**

An original statewide criminal record check, issued within the past 10 days, shall be obtained as part of the application process. Persons with felony convictions of any sort are unacceptable. Other unacceptable convictions include crimes of violence, drug usage or sales, physical abuse, fraud or theft. A pattern of unlawful behavior shall also disqualify an applicant. The Transportation Supervisor or Director will obtain the statewide criminal record check for applicant. The statewide criminal record check will be reviewed by Transportation Supervisor and/or Director prior to hiring any employee.

## **PROCEDURES FOR SELECTING A SAFE DRIVER**

When hiring vehicle operators, be sure to have the driver candidates undergo the following:

- A pre-employment driving test
- A pre-employment physical exam
- Submission of DMV report (five years)
- Pre-employment drug testing
- Basic training in driver skills
- Orientation based on individual skills
- Defensive driving skills training
- Refresher driver training (if applicable)
- Customer Sensitivity Training
- ADA Requirement Training (Wheelchair Lift and Securement)
- Emergency Procedure Training (Evacuating)

## NEW HIRE QUESTIONS

- How well do you know the layout of Sampson County?
- Have you ever worked with the public? If yes, explain.
- What experience have you had with public transportation?
- Have you ever been convicted of a crime? If yes, explain.
- Have you ever had a positive DOT drug or alcohol test?
- Have you ever been terminated or asked to leave a job?
- How do you accept criticism?
- What is your availability to work during the week? How early can you report to work or how late can you stay?
- Are there any physical limitations that would prevent you from operating a lift?
- Have you worked with elderly, disabled, or the general public before?
- SAT counts on drivers to solve problems that come up quickly. Can you give us an example of this happening to you in a previous job?
- What experience have you had in documentation of information?

SAT will have the Transportation Supervisor, Office Manager and Director in the interview process. Each will take turns asking these questions and any others that seem reasonable.

## MOTOR VEHICLE BACKGROUND CHECK

Motor Vehicle Background checks will be conducted on all Drivers, Transportation Supervisor and Office Manager prior to hire and yearly thereafter by the Transportation Office Manager. The Motor Vehicle Background Check authorization form will be signed by potential employee for the first background check.

Yearly Reviews: In January of each year, the Transportation Office Manager will conduct a review on every driver's motor vehicle record checking for driving infractions or other moving violations. All records obtained will be kept in the Employee Driving Records Notebook. The Emergency Management Office conducts the reviews for us upon request. The record received for each driver will be reviewed by the Transportation Office Manager or Transportation Supervisor; signed and dated upon completion of review.

### MOTOR VEHICLE BACKGROUND CHECK

Last Name: \_\_\_\_\_ First: \_\_\_\_\_ Middle: \_\_\_\_\_  
Date of Birth: \_\_\_/\_\_\_/\_\_\_ Social Security #: \_\_\_\_\_  
Driver's License #: \_\_\_\_\_ State: \_\_\_\_\_ Exp. Date: \_\_\_/\_\_\_/\_\_\_  
Department: \_\_\_\_\_ Building: \_\_\_\_\_

I authorize all corporations, former employers, credit agencies, educational institutions, law enforcement agencies, city, state, county, and federal courts, military services, and persons to release information they may have about me to the person or company with which this form has been filed. This releases the aforesaid parties from any liability and responsibility for collecting the above information.

Signature \_\_\_\_\_ Date: \_\_\_/\_\_\_/\_\_\_

## **EMPLOYEE INFORMATION MONITORING POLICY**

Sampson County policy states that a driver license check will be done yearly. That will be documented in the individual training folder. Any other information dealing with these issues will be in the same place.

In January of each year, the Transportation Supervisor and Office Manager will review each drivers training record, looking for the due dates of all licenses, certifications, and other safety-related issues. Each driver's license will be checked through DMV for driving infractions or other moving violations. All records obtained will be kept in the training log and the master driver's log. If an employee has not received required training or a certification is outdated, the Transportation Supervisor will immediately work with employee to receive the required training or get recertified.

With employees that have CDL's with passenger endorsement, those employees will have a complete physical every 2 years. A notation will be made in the training log, but the employees medical records will not be kept there. Instead, since medical records are of a personal and sensitive nature, they will be kept in the employee's county personnel record. This part of the policy will become active January 2011.

## EMPLOYEE TRAINING PROGRAM

Sampson Area Transportation will meet all federal and state guidelines, regulations and laws regarding the safe transportation of their passengers by meeting the Minimum Training Standards for each employee.

Most employee training sessions are on site; however, employees may attend sessions at other locations as deemed necessary or appropriate.

Required training for employees is listed by job title:

### Drivers

#### General Comments

- All new hires must complete all of the minimum training requirements listed below before operating a transit vehicle unsupervised in revenue service.
- Reflective vest will be worn by drivers when performing job functions.
- Drivers that are not meeting proficiency, expert performance level, will be given remedial training until they are proficient.
- Refresher (annual) training will be completed annually (within 1-year of last training date)
  - Refresher or remedial training can be done anytime an employee request such training.
  - Training is provided quarterly.
- All of the training materials and documentation will be on file for review by the NCDOT/PTD in the employees training notebook.
- All training records will be kept on file for a minimum of five (5) years. Records will include a roster with the name of the course, signature of individuals trained, date of course, the instructor name and or type of instruction (ex: self-instruction)
- Training reports will be sent in quarterly to NCDOT/PTD – Safety and Security Specialist quarterly.

### Minimum Training Requirements

#### Defensive Driving

- Training completed upon hire and annually
  - Inclement weather
  - Brake Failure/rapid tire deflation
  - Crossing railroad tracks
  - Proper use of PPE equipment

#### Americans with Disabilities Act (ADA)

- Training completed upon hire and annually in the following areas:
  - Sensitivity training
  - Passenger assistance
  - Wheelchair handling

- Wheelchair securement (passenger and mobility)
- Wheelchair lift inspection
- Wheelchair lift operation (normal and emergency)
- All drivers will be trained to “proficiency”, which is defined as expert performance as required by ADA.

#### Bloodborne Pathogens

- Training completed upon hire and annually
- Training content will be completed by OSHA standards

#### Emergency Procedures

- Training completed upon hire and annually in the following areas:
  - Communication and notification procedures: including operation of communication equipment.
  - Accident/Incident reporting procedures
  - Passenger handling procedures
  - Driver and passenger security training
  - Emergency evacuation procedures and training
  - Emergency equipment usage
    - First aid (drivers must be trained in first aide to include use of kit)
    - Bloodborne Pathogens (drivers must be trained in bloodborne pathogens to include use of kit and transit system specific engineering controls to minimize driver exposure, cleanup procedures and waste disposal)
    - Emergency triangles (drivers must be trained to properly setup equipment)
    - Fire extinguishers (drivers must be trained to properly inspect and use equipment)
    - Web cutter (drivers must be trained to properly use equipment)
  - We participate in our local Emergency Management drills when available.

#### Ride Check – Driver Evaluation Form

- Training must be completed upon hire and annually.
- Ride checks are performed on all newly hired drivers before being allowed to operate a transit vehicle unsupervised in revenue service.
- All drivers will have an annual evaluation to assess the driver’s performance of techniques, skills and knowledge gained through training of each of the above categories.
- If any deficiencies are noted, comments will be made in the comments section on the ride check – driver evaluation form. Remedial training will be done immediately, if possible, but if not possible within two business days. After remedial training a deficiencies follow-up ride check will be conducted, and a new ride check form will be completed on those items.
  - Remedial training will be done on any item listed on the ride check form that was not done properly. Some remedial training can be done immediately while the ride check is being reviewed; while some discussions will be in a classroom or office setting.

#### Illegal Drug Use

- Training shall be done upon hire



- Training will include the effects and consequences of prohibited drug use on personal health, safety, and the work environment, and on the signs and symptoms that may indicate prohibited drug use.

Other training that will be provided

- Map reading
- Routing and route structure
- Fare collections

The transportation department has training modules available for review at any time. Any appropriate on-line training will be made available to transit workers.

### **Transportation Supervisor and Office Manager**

The Transportation Supervisor and Transportation Office Manager will receive the same minimum training as drivers. (See above). The Director Transportation will be responsible for making sure all training has been completed and documented in training records.

Other Training requirements are as follows:

- Policies and Procedures
  - SSP
  - County Personnel Policy
  - Transportation General Policies

### **Remedial Training**

- Remedial training will be provided as needed in addition to the required annual training.
- *Drivers that are not meeting proficiency, **expert performance level**, must be given remedial training until they are proficient.*

<b>NEW HIRE TRAINING LOGS</b>	
License Check	
Ride Check	
Policies & Procedures included in SSP	
Driver Handbook	
Bloodborne Pathogens-Video	
Bloodborne Pathogen-Hands on	
ADA	
Title VI/Civil Rights	
Defensive Driving	
Vehicle Evacuation	
Pre & Post Inspection	
Tablets	
Fares	
Wheelchair Securement-Video	
Wheelchair Securement-Hands on	
Smoking & Electronics Policy	
W/C Lift Training	
Conflict of Interest & Ethics Policy	
2 The Point Training	
Job Description	
Prohibited Drug Use (NRTAP Website)	
Zero Tolerance D&A Policy	

Printed Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

## 2018 Driver's Training Logs

	<b>DRIVER NAME:</b>	<b>Signature and Date</b>
	<b>License Check</b>	
	<b>Ride Check</b>	
	<b>First Aid (Every 2 years)</b>	
	<b>Blood borne Pathogens (Video) &amp; Hands on</b>	
	<b>ADA</b>	
	<b>Defensive Driving</b>	
	<b>Vehicle Evacuation</b>	
	<b>Wheelchair Securement (DVD) &amp; Hands On</b>	
	<b>Lift Training (Video)</b>	
	<b>Effects &amp; Consequences of Prohibited Drug Use (Videos)</b>	
	<b>Zero Tolerance Drug &amp; Alcohol Testing Policy</b>	
	<b>Fire Extinguisher Training</b>	
	<b>Civil Rights/ Title VI</b>	
	<b>Criminal Background Check</b>	
	<b>CDL Physical (Yearly)</b>	

**RIDE CHECK: DRIVER EVALUATION**  
**One-on-One Training Form**

Date of Evaluation \_\_\_\_\_

Driver's Name \_\_\_\_\_

Evaluator's Name/Position \_\_\_\_\_

**Vehicle Condition**

- Daily pre-trip inspection complete/documented
- Web cutter and emergency triangles are available
- Registration and insurance card in vehicle
- Driver's license/logs with driver
- Vehicle exterior clean
- Vehicle interior clean
- Dashboard/windshield area clear of all objects
- Tie downs clean/stored in box
- Seat belts in good working condition
- Fire extinguisher is available, serviceable, properly mounted/ tagged
- First Aid/Bloodborne pathogen kit available in vehicle
- Communications system operable
- Daily defect report filled out
- Lift operational check
- Keeps logs up to date
- Inspect emergency door, hatch & windows

**Passenger Reception**

- Confirms identity/destination of passenger
- Greets passenger in a friendly manner
- Uses proper assistance techniques (What are the driver's responsibilities?)
- Assists passengers to and from the vehicle door if needed
- Avoids use of AM/FM radio
- Uses correct ADA language at all times

**Performance While In-route**

- Driver uses correct posture when driving
- Both hands on steering wheel
- Driver and passengers use seatbelts
- Driver gets out of vehicle and looks before backing
- Adjust mirrors before moving vehicle. Keeps eyes moving
- Signals entry into traffic every time. Leaves himself/herself an out
- Moves vehicle smoothly while slowing braking and stopping. Make sure they see you.
- Telegraphs use of brake or flashers when stopping
- Moves at appropriate speeds for current road conditions

- Uses proper caution at intersections
- Anticipates stale green lights (slow down)
- Stops at all railroad crossings
- Comes to a complete stop, leaving private property
- Uses proper lane changing procedure
- Stops behind line or plane at intersections
- Observes proper communication procedures
- Uses turn signals properly
- Maintains order in vehicle
- Maintains scheduled stops and pick-ups
- Uses four second distance rule, adds seconds to following distance when driving conditions change...keep safety cushion

**Passenger Discharge**

- Uses parking brake when de-boarding passengers
- Stops proper distance from curb. Assist passengers off vehicle (when needed or when passengers request help)
- Renders adequate assistance to wheelchair passengers
- Advises Base when leaving vehicle and upon return to vehicle
- Makes sure passenger is safely inside of destination before leaving property
- Follows passenger's instruction for assistance when needed

Comments \_\_\_\_\_

Course of Action (required/taken) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Driver's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Supervisor's Signature

\_\_\_\_\_  
Date

**RIDE CHECK**  
**DRIVER PERFORMANCE EVALUATION EXPLANATION**

**VEHICLE CONDITION**

The Driver...

Performs a pre-trip inspection and completely fills out the pre-trip inspection form before starting the first run of the day.

Ensure registration and insurance cards are current and available.

Has driver license in possession and current route logs on person at all times.

Vehicle is clean on exterior.

Vehicle is kept clean inside at all times.

Nothing is on the dashboard, rear view mirror, or sun visors that could create a hazardous situation.

Safely attaches tie down straps into floor tracks and use the four-point tie down on wheelchairs.

Removes tie downs from floor after each use. Stores tie down straps in their proper place.

Seat belts/tie down straps are not tangled, missing or broken.

Checks fire extinguisher for serviceability and expiration date.

Checks the first aid and Bloodborne Pathogen Kits regularly (PPE) and re-supplies when needed.

Ensures web cutter and emergency triangles are available.

Checks batteries daily to make sure flashlight is usable. (If applicable)

Tests the two-way radio and/or other communication device for operability.

Child seats are placed in vehicle properly and stowed when not in use.

Fills out daily defect report correctly.

Keeps logs up to date as trip is completed for each passenger.

**PASSENGER RECEPTION**

The Driver...

Asks the name of the passenger and the destination before boarding, unless the passenger is a subscription rider.

Is available at the door to assist the passenger on or off the vehicle (if needed).

Acts courteously, offers help by asking, "may I help" or "how may I help you?"

Follows guidance from the passenger, if help is needed.

Uses the passenger's instructions to assist in boarding and exiting the vehicle, if needed.

Stops the vehicle six (6) inches or four (4) feet from curb to keep passengers from falling off the vehicle as they load and unload. (This depends on the stopping or parking situation.)

Uses AM or FM radio only when passengers are not aboard, then only for the news and weather forecast.

Uses correct language under ADA guidelines. (Refer to the ADA handout given to drivers who have taken the SNAAP training.)

**PERFORMANCE IN-ROUTE**

**The Driver...**

Does not slouch in the seat while driving. Arms are not on or out of the window frame.

Both hands are on the steering wheel at the 9 and 3 or the 10 and 2 position. Gets the big picture.

Clothing should be appropriate for job.

Uses seat belt correctly and requires correct use of seat belt for all passengers.

Gets out and looks behind vehicle, for obstacles, before backing.

Adjusts mirrors before leaving base (for safety and visibility). Keeps eyes moving.  
Uses signals for all maneuvers in traffic. Leaves an out.  
Does not jerk the vehicle when stopping and starting. Uses the brakes without stomping or slamming (stops vehicle smoothly).  
Presses the brakes slightly to warn tailgaters to slow down or uses flashers when coming to a quick stop.  
Does not whip around corners. Slows down to 2 to 5 miles per hour when turning corners. Positions vehicle for proper safe turns. (Squares the corner.)  
Does not travel too slow or too fast for conditions on the road or for the posted speed limit.  
Does not enter intersection without proper caution, uses the four second rule. Keeps safety cushion under control.  
Slows down when green light has been green for some time at a distance.  
Checks mirrors, looks over shoulder, signals, moves into passing lane, signals and returns to proper lane.  
Leaves (*himself/herself*) an out.  
Signals at proper distance for an intended turn. Cancels signal when maneuver is completed.  
Does not allow profanity or misbehavior in the vehicle.  
Keeps on schedule safely but does not jeopardize safety for schedule.  
Only transports passenger on route schedule. No unauthorized passengers or stops.  
Maintains a safe distance when following some one in all weather conditions.

#### **PASSENGER DISCHARGE:**

##### **The Driver...**

Uses parking brake when loading or unloading passengers.  
Stops the vehicle 6 inches to 4 feet from curb to discharge passengers. Assists passenger off vehicle.  
Assists all passengers as required.  
Advises dispatcher of absence from vehicle and advises dispatcher of return to vehicle.  
Does not leave elderly and disabled passengers unattended. Makes sure they are in the hands of caretakers or inside their homes/destinations before driver leaves the property (case by case judgments).

## **SAMPSON AREA TRANSPORTATION EMPLOYEE CONDUCT POLICY**

No employee of Sampson Area Transportation shall have the authority to make statements on behalf of SAT without prior approval of the system manager. All employees shall conduct themselves in such a manner which shall bring credit to the SAT organization or to the particular subcontractor to which the employee is attached.

Behavior of any employee which may affect the safety and well being of other employees of Sampson Area Transportation or subcontractor, or to personnel served by SAT or subcontractor, shall be cause for disciplinary action, whether or not such behavior relates to proper performance of the employee's job.



## **Defensive Driving/Vehicle Operations**

### **Pre-Post Trip Inspection Sheet**

Each driver will be responsible for filling out a pre/post trip inspection sheet everyday. This will be done before the route is started and again when the driver is done with the vehicle for the day. Blank copies are kept in all vans and in the program assistant's office. The driver is required to do a "walk-around" checking visually for problems with the van. All other items on the inspection sheet must be done and either initialed or checked by the driver. If something wrong is found, the driver will notate the problem and take the sheet to the program assistant, who will double check the problem and make arrangements for it to be fixed. Any problem that makes the van unsafe to operate will cause the van to be taken off the road until fixed. With vehicles having a lift, the wheelchair lift will need to go through one complete cycle. If a problem comes up while the van is in-service, the driver will notify the office, notate the problem on the inspection sheet, and the Transportation Supervisor or Office Manager will make arrangements for the van to be fixed. Pre/Post Trip Inspection sheets will be filed and kept for as long as that vehicle remains the property of SAT.

### **BACKING PROCEDURES**

Vehicle backing is strongly discouraged unless it is absolutely necessary. The following procedures are suggested in the event that an operator is required to use the reverse gear:

- Except for backing out of a parking stall, drivers should only back a vehicle when it is absolutely necessary. If it becomes necessary to back the vehicle while the vehicle is in service, a driver should use an adult as a spotter. The spotter should not be asked to exit the vehicle because that can cause the spotter to be vulnerable to injury. Use of a spotter does not relieve the driver of the responsibility to back the vehicle safely.
- Before backing, check carefully in all directions including the rear of the vehicle.
- Turn on the four-way flashers.
- Begin honking the horn (if the vehicle does not have a working 'backing-up' alarm) and continue to give short continuous beeps on the horn while in motion.
- As a rule, when stopping in traffic, stop far enough back to see the rear tires on the vehicle ahead. This allows a driver the ability to go around a stalled vehicle on the left or right if necessary, without the need to reverse direction. This

4/2020

procedure does not always work but it is another good example of how to avoid backing.

- Be sure to stay out of intersections and crosswalks until they are free to traffic. Do not get into positions where backing a large vehicle becomes necessary.
- If the view is obstructed and the driver is in doubt, he or she should exit the vehicle (if it is reasonable safe to do so) to check behind and around it.

## **CROSSING RAILROAD TRACKS**

To ensure that everyone arrives safely at their destination, consistently utilize the following procedures when approaching and crossing railroad tracks:

- Upon approaching the railroad crossing, proceed into the far-right lane.
- Turn on the four-way flashers 100 feet before reaching the tracks the vehicle must stop behind the white line (if a line is present) and not in the path of the crossing barrier.
- Turn off heaters, fans, radios, etc. so that you can hear a train. If necessary, ask passengers to remain silent during the crossing.
- Open the door completely and listen for an approaching train or (if driving a van) open the window completely and listen.
- Look in both track directions as you listen for an approaching train.
- When you can conclude that no train is approaching, close the door (watching the door while it is closing) or window.
- Check your left mirror for traffic.
- Proceed slowly over the tracks to avoid damage to the vehicle.
- Turn off the four-way flashers after the vehicle is past the tracks.

## **DEALING WITH BRAKE FAILURE PROCEDURES**

The guidelines below can assist you in safely maneuvering your vehicle during brake failure:

- Do not force the brake to the floor; you will destroy any chance of rebuilding pressure.
- Gently pump the brake pedal to see if you can restore pressure.
- Sound your horn and flash your lights to alert other drivers.
- Shift to the lowest gear possible.

4/2020

- Remain calm and guide your vehicle into an environment where you can slow the vehicle and bring it to a natural stop.
- Look for an outlet. Can you use a natural upgrade to slow the vehicle? Is there a large open parking lot that you can coast across?
- Do not pull the parking brake – you could put the vehicle in a tailspin. As an exception in vans or small buses, it may be necessary to use emergency brake, but you should control the release with your hand to prevent the brake from locking.
- Do not permit the wheels to lock until the vehicle has stopped.

## **IN-ROUTE PROCEDURES**

- Depart on time and stay on schedule, but never at the expense of passenger safety.
- Drive safely and smoothly. Operate at all times on compliance with applicable traffic regulations, ordinances, and laws of the jurisdiction in which the vehicle is being operated.
- Avoid lengthy conversations with passengers, since conversations can distract a driver from safely operating the vehicle.
- A vehicle with passenger doors in the open position should not be operated with passengers aboard. The doors should not be opened until the vehicle is stopped or at a railroad crossing. A vehicle with inoperable doors should not be operated with passengers aboard.
- During darkness, interior lighting and lighting of stepwells on vehicles should be sufficient for passengers to enter and exit safely.
- Passengers should not be permitted in the stepwells of the vehicle nor occupy an area forward of the standee line when the vehicle is in motion.
- Standing passengers should not be permitted on vehicles that are not designed to accommodate standing passengers.
- Fueling the vehicle when passengers are being transported should be avoided unless it is necessary.
- When passengers are aboard, the transit system requires the driver to be secured to the driver's seat with a restraining belt at all times while the vehicle is in motion.
- Vehicles should not be left unattended at any time when passengers are aboard.

4/2020

- When transporting passengers, drivers should stop at all railroad crossings in compliance with North Carolina Statutes.
- ALL passengers will be required to wear a seatbelt unless they have a note from a doctor excusing them from using a seatbelt. This applies to those clients using a mobility aid.
- Use common sense.
- If any problem with the vehicle comes up while in-service, the driver should immediately notify the office, notate the problem on the pre/post trip inspection sheet, and await instructions. If no office staff is available, and the vehicle can safely make it, the driver should proceed to the mechanic that is used by Sampson Area Transportation.

## **DEFENSIVE DRIVING**

Defensive driving is always being alert to possible accident hazards around your vehicle and taking action to avoid these hazards. Driving defensively will prevent accidents in spite of the incorrect and/or unexpected actions of others and/or bad weather conditions.

Simply knowing how to maneuver your vehicle is not enough to prevent accidents. When you drive defensively, you take control of the situation. When you drive non-defensively, you let the driving situation take control of you. It is far more important to drive defensively than to take the legal right of way. Drivers are expected to adhere to all applicable traffic laws. Even when by law you are right, people can be injured or killed. At the very least, you and your passengers will be inconvenienced by the time needed to investigate an accident and complete the incident reports. A defensive driver will not get into a situation where it may be necessary to take an emergency action to avoid an accident.

## **QUALITIES OF A GOOD DEFENSIVE DRIVER**

A good defensive driver must have the following qualities:

You must be an exceptional driver. You need to know how to maneuver the vehicle you are driving to avoid possible accidents. The better you know how your vehicle maneuvers, the more time you can spend spotting potential accident situations.

You must understand the vehicle you are driving. All vehicles are different to a degree. It's important that you are familiar with the vehicle. Use the pre-trip inspection to familiarize yourself with the van if you have not driven that particular model before.

4/2020

You must be physically and mentally prepared to operate a vehicle, spot potential hazards quickly, and continually adjust your driving to avoid hazards. A defensive driver will:

- leave personal problems at home
- be rested and alert
- avoid the use of alcohol and drugs
- look after his/her health

A defensive driver must also maintain a good driving attitude. Defensive driving begins with your attitude. A driver with a good defensive driving attitude will:

- Always assume and prepare for the worst.
- Realize the importance of always being physically and mentally well prepared for driving.
- Understand that the responsibility for avoiding an accident rests in their hands.
- Not allowing themselves to become upset to the point that it affects their driving.
- Assume that all accidents are preventable.
- Not worry about proving who is right and who is wrong, but more concerned about preventing the accident.

## **MAIN CAUSES OF ACCIDENTS**

There are three main causes of accidents:

**Other Drivers and Pedestrians.** You have little control over the actions of others.

**Your Vehicle.** You control the conditions of your vehicle by doing a proper pre-trip safety inspection and reporting any problems.

**You.** You can not control all the factors that might cause an accident; however, you do control yourself and the vehicle. To be a defensive driver you need to be aware of your own abilities and the limits and capabilities of your vehicle. You need to anticipate potential accident situations and then take a defensive, not an emergency action to avoid those hazards.

## **SAFETY ZONE**

In order to avoid hazards, you need to maintain your safety zone. The safety zone is the area around your vehicle that you want to keep clear of hazards. The safety zone consists of the area in front of the vehicle that is determined by proper following distance, 15 feet to each side of the vehicle, and the rear area of the vehicle. The safety zone is affected by the speed of the vehicle, the vehicles around you, and the weather conditions.

## **EQUIPMENT AS A DEFENSIVE DRIVING TOOL**

4/2020

Many equipment items on your vehicle are defensive driving tools that you can use to keep the safety zone free of hazards. You must know how and when to use them. They include:

**BRAKES** – The most basic tool for avoiding a hazard.

**MIRRORS** – Enable you to see around your vehicle.

**LIGHTS** – Enable you to see better and be seen better by others.

**TURN SIGNALS** – Inform other vehicles to your direction.

**HORN** – Warns others of your presence.

**DEFROSTER, WINDSHIELD WIPERS AND WASHERS** – Provide clear vision for the driver.

## **THE MOST IMPORTANT FACTOR IN DEFENSIVE DRIVING IS YOU**

You possess defensive driving tools which include:

1. Your ability to spot a hazard, maneuver the vehicle away from it, and warn others.
2. Your knowledge of driving hazards and how to spot them.
3. Your knowledge of the safety zone and how to maintain it.
4. Your knowledge of the rules of the road.
5. Your knowledge of the vehicle equipment.
6. Your skill at maneuvering the vehicle.

## **BE A SUCCESSFUL DEFENSIVE DRIVER**

Driving a vehicle is not an easy job. Defensive driving is critical to your success. Everyday you will encounter possible accident hazards that you will need to avoid. As you learn to use the above-mentioned guidelines and improve your skills, you will become a better defensive driver. You owe this to your passengers, but more importantly, you owe it to yourself to be a safe defensive driver

## **PRE-CHECK**

Before a driver places a vehicle in service, the following pre-check inspection steps will be completed:

Notice general condition. Look for fresh body damage or vehicle leaning to one side. Check the area around the vehicle for hazards to vehicle movement (people, other vehicles, objects, low hanging wires or limbs, etc.) Also, check to see if previously reported problems have been corrected. The driver should also look for any security issues dealing with the van and the parking lot. Any safety or security issue should be relayed to the program assistant and/or notated on the pre-post trip inspection sheet.

## **PRE-IGNITION CHECKS (BEFORE THE ENGINE IS STARTED)**

Check that the parking brake is on and/or wheels are blocked.

Check the following:

1. Engine oil level.
2. Coolant level in radiator and condition of hoses.
3. Power steering fluid level and hose condition (if so equipped).
4. Windshield washer fluid level.
5. Battery fluid level, connections, and tie downs.
6. Check belts for tightness and excessive wear (alternator, water pump, and air compressor), learn how much “give” the belts should have when adjusted right, and check each one.
7. Leaks in the engine compartment (fuel, coolant, oil, power steering fluid, hydraulic fluid, battery fluid).
8. Cracked, loose, or worn electrical wiring insulation.

## **STARTING ENGINE**

--Make sure the parking brake is applied.

--**DRIVER POSITION** – the driver should be positioned to reach all controls and in position for greatest visibility. Driver comfort should also be considered. If necessary, the seat should be adjusted to put the driver in the optimum position. This is the first pre-ignition step, as mirrors and seat belt adjustments depend on the drivers’ position.

--**SEAT BELT** – the driver must use the seat belt. The seat belt should be checked and adjusted to fit snugly across the hips.

--Put gearshift in neutral (or “park” if automatic).

--Start engine and listen for unusual noises.

## **CHECK GUAGES DURING WARM-UP PERIODS (3 to 5 MINUTES)**

**OIL PRESSURE**—Should come up to normal operating range within seconds after engine is started.

**AMMETER/VOLTMETER**—Should be in normal range.

**COOLANT TEMPERATURE**—Should begin gradual rise to normal operating range.

4/2020

**ENGINE OIL TEMPERATURE**—Should begin gradual rise to normal operating range.

**WARNING LIGHTS AND BUZZERS**—Oil, coolant, charging circuit-warning lights should go off right away after engine is started.

### **FUEL GAUGE**

### **CHECK CONDITION OF CONTROLS**

Check all the following for looseness, sticking, damage, or improper setting:

1. Steering wheel (not too much free play)
2. Clutch (proper free travel)
3. Accelerator (gas pedal)
4. Brake controls (foot and parking)
5. Transmissions controls
6. Horn
7. Windshield wiper/washer
8. Lights (headlights, dimmer switch, turn signals, 4-way flashers, clearance, identification, marker light switch(s))

## **CHECK MIRRORS AND WINDSHIELD**

Inspect mirrors and windshield for cracks, dirt, illegal stickers, or other obstructions to vision. Clean and adjust as necessary.

Mirrors should be adjusted for best visibility.

-inside mirror—should be adjusted to give driver a view of entire vehicle interior and passengers

-outside flat mirrors—should be adjusted so that the driver can see rear tires at ground level in bottom of mirror and the rear bumper near the inside edge.

-outside convex mirrors—should be adjusted to give maximum localized vision of both sides of the vehicle.

Mirrors must be adjusted after drivers have determined their final seating position because a change in driver position usually requires readjustment of mirrors.

## **CHECK EMERGENCY SAFETY EQUIPMENT**

The following items are safety-related equipment. Check with your transit system about these and other items:

- First Aid Kit
- Three red reflective triangles
- Properly charged and rated fire extinguisher
- Accident reporting kit
- Communicable disease kit



## **DO WALK AROUND INSPECTION**

Always check the interior of the vehicle before driving to ensure rider safety. Aisles and stairwells must always be clear. The following parts of the interior of your vehicle must be in safe working order:

- each handhold and rail
- floor covering
- signaling devices
- emergency exit handles

The seats must be safe for riders. All seats must be securely fastened to the vehicles, unless specifically designed seats that fold up. Never drive with an open or locked emergency exit door. **It is unlawful to lock the emergency exit with passengers on board.** The “Emergency Exit” sign on an emergency door must be clearly visible. If there is a red emergency door light, it must work. Turn it on at night or any other time you use the outside lights. You may lock some emergency roof hatches in a partly open position for fresh air. Do not leave them open as a regular practice. Keep in mind the vehicles higher clearance while driving with roof hatches open.

## **EXTERIOR**

As you check the outside of the vehicle, close any open emergency exits. Also, close any open access panel (for baggage, engine, etc.) before driving. Clean all lights, reflectors, and glass as you proceed.

Check the condition of all tires. Make sure the tires or rims are not bent, missing clamps or lug nuts, and are aligned. Tires should be properly inflated, and the valve stem should not show signs of wear or tear. Double check to see if the spare tire is inflated and that the vehicle has a jack and lug wrench.

## **CHECK WHEELCHAIR LIFT EQUIPMENT**

Wheelchair lift equipment should always be included during your daily inspections. Run the lift through one complete cycle to be sure that the lift is operable before attempting to pick up passengers. Check for frayed or damaged lift cables. Carefully inspect the loading equipment. Look for hazardous protrusions, exposed edges, etc. Make sure that all such items are adequately padded. Make sure that any loading apparatus inside the vehicle is secured to the vehicle to prevent movement during normal operation or in the event of an emergency stop, traffic accident, or vehicle overturn. A

4/2020

sufficient number of restraining belts should be in good working order and available to ensure that all wheelchair passengers can be transported easily and safely.

**IF YOU FIND ANYTHING UNSAFE DURING THE PRE-TRIP INSPECTION, GET IT FIXED. FEDERAL AND STATE LAWS FORBID OPERATING AN UNSAFE VEHICLE.**

## **FOLLOWING DISTANCE**

When following other vehicles, a safe distance must be maintained. Under normal conditions this is determined by the five-second rule. The five-second rule means you should maintain a full five seconds of following distance between your vehicle and the vehicle ahead. You can check this by watching the vehicle ahead of you pass a stationary object ( a pole, sign, parked car, etc.) then count off five seconds. You should have time to count off the five seconds prior to reaching the same fixed object. In as much as rear end collisions are typically viewed as being avoidable, exercise caution to allow sufficient stopping distance under varied conditions. Reaction distance plus braking distance equals stopping distance. Reaction distance is the distance traveled from the time it takes you to remove your foot from the throttle to the brake.

Braking distance is the distance traveled from the time the brake is applied until the vehicle comes to a full stop. Stopping distance increases with:

- Wet roads
- Passengers on vehicle
- Ice, snow, or gravel
- Wet leaves
- Fatigue or illness of the driver
- Impairment

When streets are wet or slippery, drivers must adjust speed and following distances for road conditions, exercising a greater than normal level of caution. Brakes should be applied in such a manner as to avoid skids.

## **INTERSECTIONS**

Except when climbing a grade, drivers crossing a signalized intersection where a stop is not required and at other intersections the driver deems necessary will cover the brake up to the point he/she enters the intersection, then should replace his/her foot on the throttle or keep on the brake as appropriate. When approaching an intersection, a driver will make a traffic check before entering the intersection.

## **RAILROAD CROSSINGS**

The following are the proper procedures for crossing a railroad track:

4/2020

1. Turn on the four-way flashers 300 feet before reaching the tracks.
2. Move as far to the right as is safely possible.
3. Stop the vehicle no closer than 15 feet and no further than 50 feet away from the track. The vehicle must stop behind the white line (if present) and not in the path of the crossing barrier.
4. Open the front door (or roll window down in vans) completely.
5. Look in both directions and listen for the approaching train.
6. When no train is approaching, close the front door and watch the door while it is closing.
7. Check the left mirror for traffic.
8. Proceed slowly over the tracks to avoid damage to the vehicle.
9. Turn off four-way flashers after the bus is past the tracks.

## **PEDESTRIANS AND BICYCLISTS**

A driver must slow down or come to a complete stop when pedestrians are crossing the street. A driver must always yield the right of way to all pedestrians and bicyclists.

## **DISTRACTING CONVERSATION**

Conversation with passengers that distracts the driver from safely operating the vehicle is prohibited. An off-duty driver riding as a passenger may not occupy the first seat behind the driver of the vehicle, or the first seat to the right adjacent to the front door. Drivers riding as passengers will not hold a distracting conversation with the driver of the vehicle.

## **STOPPING FOR PASSENGERS AT DESIGNATED STOPS**

All drivers should follow the following procedure when stopping at designated stops to board or de-board passengers.

1. Turn on four-way flasher lights to caution motorists.
2. Slow down gradually.
3. Pull as far to the right as safety allows.
4. Make a full complete stop.
5. Place transmission in neutral (manual) or place transmission in park (automatic).
6. Set parking brake.
7. Open door
8. Deboard/board passengers.
9. Always wait for boarding passengers to get seated before moving the vehicle.

4/2020

## **ELDERLY AND DISABLED PASSENGERS**

Special consideration should be given to elderly and disabled passengers allowing them sufficient time to be seated before the vehicle is moved. This is one of the most appreciated customer services you can provide. If it is necessary to leave the drivers' seat to assist a passenger, set the transmission appropriately, set the parking brake and turn on the four-way hazard lights.

## **SECURING A VEHICLE**

Drivers are responsible for their assigned vehicle while on duty and must use good judgement when leaving a vehicle unattended for very short periods of time typically for a restroom stop. When temporarily leaving a vehicle, the driver must:

- Turn the front wheel into the edge of the road if the vehicle is facing downhill or turn the front wheels in opposition to the edge of the road if the vehicle is facing uphill.
- Set the transmission appropriately.
- Turn on four-way hazard lights.
- Set parking brake.
- Shut off engine.
- Close front door from outside unless passengers are on board in which case the front door will be left open.

## **FOUR-WAY HAZARD LIGHTS**

The four-way hazard lights will be used when:

- A vehicle is disabled or involved in an accident.
- Parking a vehicle and a driver can not park completely off the roadway.
- Stopping at a railroad crossing.
- Using a wheelchair lift.
- Other stops and situations as necessary.

## **BRAKES**

Because a driver is responsible for the safety of the vehicle and passengers, and brakes are an important mechanical part of the vehicles' safety features, a driver is required to:

- Test brakes for malfunctions within the first block or two after starting a trip.
- Report immediately to the dispatcher any problems with the brakes. A driver must not operate a vehicle once it has been determined that it is unsafe to do so because of malfunctioning brakes.
- Keep foot brake applied when passengers are boarding or disembarking and when doors are open.

4/2020

--Use the parking brake to hold the vehicle for parking or whenever the driver leaves the drivers seat. In the event of service brake failure, the parking brake may be used to stop the vehicle.

--Do not fan or pump the brakes. This causes excessive wear, an unsafe and rough ride, and reduced braking capability because of low air pressure. This is not meant to restrict feathering of brakes on icy or snow-packed roads.

## **MIRRORS**

Mirrors are to be adjusted before starting a trip. When a vehicle is relieved on a route, the mirrors are to be adjusted before proceeding. Outside left and right mirrors are to be used for turning maneuvers when pulling out from the side of the road and in addition, the right-side mirror is to be used to observe boarding of passengers. When making traffic lane changes or entering traffic from a stop, be sure to check the blind spot in both mirrors. Mirrors are a very important defensive driving tool and are to be scanned every 8 to 10 seconds.

## **SCHOOL ZONES**

Drivers will use extreme caution near schools and observe the posted school zone speed limit. Drivers will also obey the signals of school crossing guards, school patrols, and the flashing lights of school buses.

## **BACKING**

Except for backing out of a parking stall, drivers should only back a vehicle when absolutely necessary. If it becomes necessary to back the vehicle while the vehicle is in service, a driver should try to use an adult “spotter”. The use of a spotter does not relieve the driver of the responsibility to safely back the vehicle. Before backing, carefully check all directions and turn on the four-way flashers. Most vehicles should have a working back-up alarm. The alarm will transmit beeping sounds while the vehicle is in reverse. If this option is not working, use the horn and notify the Office Manager of the problem.

## **FLAMMABLE AND EXPLOSIVE MATERIALS ON VAN**

Federal Regulations state that no explosives or flammable materials may be carried in the passenger carrying space of any motor vehicle transporting passengers.

4/2020

## **DISABLED VEHICLES**

When a vehicle becomes disabled, the driver should observe the following procedures. First, try to park the vehicle in a safe location out of traffic lanes. Place the vehicle in park and shut off the engine. Turn on the four-way flashers and set the parking brake. If the vehicle is in traffic, help direct traffic around the vehicle. The driver should also contact the coordinator or dispatcher to send the police and/or another vehicle to transport the passengers.

## **EMERGENCY DRIVING PROCEDURES**

### **PREPARATION**

An emergency can happen at any time. No driver can control weather conditions, vehicle breakdowns, other drivers' mistakes, or passengers' illness. However, the driver must be mentally prepared for all these possibilities. Preparing yourself mentally is not automatic. You need to ask yourself specific questions that relate to the types of emergencies that you might encounter. Professional drivers prepare themselves for the day by finding answers to the following questions:

- What is the weather forecast?
- Will the route require driving on dangerous roads?
- What will the traffic be like?

- Will the vehicle be carrying an unusual number of passengers?

In addition to information gathering, professional drivers need to regularly review how to handle emergencies by restudying the materials in this and other training programs, learning from their own experiences, and talking with other drivers about how they deal with various situations. Some systems have accident investigation reviews with the drivers, which can be helpful. Discussing near misses (when an accident almost happened) is also a good tool for prevention. Remember that you must always wear your seatbelt when operating your vehicle. This could help you maintain control of the vehicle in an emergency and may prevent you from being injured. If you should be in an accident, wearing a seatbelt increases the chance that you will be able to respond to the needs of your passengers. **SEATBELTS SAVE LIVES.**

## **ACCIDENT CAUSES**

One of the types of emergencies you may have to deal with is traffic accidents. What are the most common causes of these accidents? The Interstate Commerce Commission, through a study of accidents, concluded that the causes of traffic accidents are as follows:

- Mechanical Defects—3 percent
- Condition of street or highway—12 percent

4/2020

**--Human failure or error—85 percent**

Some people might argue that apparently some 15 percent of traffic accidents are caused by factors beyond their control. Further studies of accident report reveal; however, that this is not necessarily true. Quite a large percentage of accidents due to the condition of streets or highways are actually caused by failure of drivers to adjust their driving to hazardous street or highway conditions. Also, quite a large percentage of accidents ascribed to mechanical defects are actually caused by failure of drivers to take into consideration known mechanical defects, or failure to see that proper repairs are made when mechanical defects are discovered. Remember if an accident results from a mechanical defect, which you should have discovered during the pre-trip inspection, the accident is your fault. Thus, many accident investigators today state that **95 percent to 99 percent** of all traffic accidents are due to **human failure or error**.

Unless thorough investigation shows circumstances beyond a drivers' control, the following accidents are classified as preventable:

- Backing accidents
- Intersection accidents
- Pedestrian accidents
- Rear-end accidents
- Traffic lane encroachment accidents
- Accidents resulting from mechanical conditions
- Accidents with parked vehicles
- Collision with stationary objects and non-collision accidents
- Unattended vehicle accidents
- Accidents blamed on adverse weather conditions
- Passenger activities

## **SLIPPERY ROAD SURFACES**

It will take longer to stop and harder to turn without skidding when the road is slippery. It is necessary for you to drive slower, enabling you to stop in the same distance as on a dry road. Wet roads can double stopping distance. Reduce speed by about 1/3 (e.g. slow from 55 to 35) on a wet road. On packed snow, reduce speed by ½ or more. If the surface is icy, reduce speed to a crawl. Do not use brake retarders on a slippery road surface. It will cause more skidding, not less. Sometimes it is hard to know if the road is slippery. Here are some signs:

--**SHADED AREAS**—Shady parts of the road will remain icy and slippery long after open areas has melted.

--**BRIDGES**—When the temperature drops, bridges will freeze before the road will. The reason why is because cold air is below and above the road surface. Be especially careful when the temperature is close to 32 degrees F.

4/2020

--**MELTING ICE**—Slight melting will make ice wet. Wet ice is much more slippery than ice that is not melting.

--**BLACK ICE**—Black ice is a thin layer that is clear enough that you can see the road underneath. It makes the road look wet.

--**VEHICLE ICING**—An easy way to check for ice is to open the window and feel the front of the mirror, mirror support, or antenna. If they are icy, the road surface is probably starting to ice up.

--**JUST AFTER RAIN BEGINS**—Right after it starts raining, the water mixes with oil left on the road by vehicles. This makes the road very slippery. If the rain continues, it will wash the oil away.

--**HYDROPLANING**—In some weather, water and slush collect on the road. When this happens, your vehicle can hydroplane. The tires lose their contact with the road and have little or no traction. You may not be able to steer or brake. You can regain control by releasing the accelerator. This will slow your vehicle and let the wheels turn freely. If the vehicle is hydroplaning, do not use the brakes to slow down. It does not take a lot of water to cause hydroplaning. Hydroplaning can occur at speeds as low as 30 mph if there is a lot of water. Hydroplaning is more likely if tire pressure is low or the tread is worn. (The grooves in a tire carry away the water; if they are not deep, they cannot work well).

## **DRIVING AT NIGHT**

You are at greater risk when you drive at night. In the winter it gets dark early, and drivers can not see hazards as soon as in daylight, so they have less time in which to respond. Drivers caught by surprise are less able to avoid a crash.

**DRIVER VISION**--Drivers can not see as sharply at night or in dim light. Also, the eyes need time to adjust to seeing in dim light.

**GLARE**—Drivers can be blinded for a short time by bright lights. It takes time to recover from this blindness. All drivers face this risk when driving at night. The risks are greater for some drivers whose visual recovery time is higher than others are. Visual recovery time is the time it takes drivers' night vision to return to normal after being blinded by bright lights. Listed below are some specific causes that make visual recovery time higher for some individuals than for others:

- Age—recovery time increases as people get older
- High blood pressure
- Diabetes
- Other medical conditions

These drivers will need to take special care when driving at night. Older drivers are especially bothered by glare. Even two seconds of glare blindness can be dangerous. A vehicle going 55 mph will travel more than half the distance of a football field during that



4/2020

time. Do not look directly at bright lights when driving. Look at the right side of the road. Watch the sidelines when someone coming towards you has very bright lights.

**OTHER DRIVERS**—There is an increasing number of tired and intoxicated drivers on the road at night, so be on the alert for them and be prepared to respond.

**POOR LIGHTING**—In the daytime there is usually enough light to see well. This is not true at night. Some areas may have bright streetlights, but many areas will have poor lighting. On most rural roads you will probably have to depend entirely on your headlights. Less light means you will not be able to see hazards as well or as quickly as in daytime. Road users who do not have lights are hard to see. There are many accidents that involve pedestrians, joggers, bicyclists, and animals. Even when there are lights; the road scene can be confusing. Traffic signals and hazards can be hard to see against a background of signs, shop windows, and other lights. Drive slower when lighting is poor or confusing.

**HEADLIGHTS**—At night your headlights will sometimes be the main source of light for you to see and for others to see you. You can not see nearly as much with your headlights as you can see in the daytime. With low beams you can see ahead about 250 feet and with your high beams about 350-400 feet. You may adjust your speed to keep your stopping distance within your sight distance. This means going slow enough to be able to stop within the range of your headlights. Otherwise, by the time you see a hazard, you will not have time to stop. If you are using your high beams, make sure you dim them within 500 feet of another vehicle so they will not cause glare for other drivers. Night driving can be dangerous if you have problems with your headlights. Dirty headlights may give you only half the light they should, so keep them clean. If your lights fail, you should:

- Try high and low beams (one may work).
- Pull safely off the roadway and inform the passengers.
- Set up the emergency warning equipment (triangles, flares).
- Call the dispatcher for further instructions.

**TURN SIGNALS AND BRAKE LIGHTS**—At night your turn signals and brake lights are even more important for telling other drivers what you intend to do. Make sure they are clean and in working order.

**OTHER LIGHTS**—In order for you to be seen easily, the following must be clean and working properly:

- Reflectors.
- Clearance lights.
- Tail lights.

**WINDSHIELD AND MIRRORS**—It is more important at night than in the daytime to have clean windshields and mirrors. Bright lights at night can cause dirt on your windshield and mirrors to create a glare, blocking your view.

## **DRIVING THROUGH WATER**

If unable to avoid driving through deep puddles or flowing water, you should:

4/2020

- Slow down.
- Place transmission in low gear.
- Increase engine RPM and cross water.
- When out of the water, maintain light pressure on the brakes for a short distance to heat them up and dry them out.
- Make a test stop when safe to do so. Check behind to make sure no one is following, then apply the brakes to be sure they work correctly.

What if, after entering deep water, you feel it is too dangerous to continue? If you see that the water is too deep to get through, and your judgment says you need to back out, keep the engine running at a fast idle by holding the accelerator pedal down as you brake. Once stopped, shift into reverse, checking to make sure it is clear behind you. Keep the engine running slightly faster than normal as you back out. Whether you back out or drive through, drive slowly afterward and continue applying your brakes lightly for a few minutes to heat them up and dry them out. Test frequently to see if the brakes are dry enough to stop you quickly. Always check traffic behind to make sure it is safe to do so.

## WINTER DRIVING

During pre-trip inspections pay extra attention to the following:

- Coolant level/antifreeze amount.
- Defrosting/heating equipment.
- Wipers/washers.
- Tires.
- Tire chains.
- Lights/reflectors.
- Windows/mirrors.
- Hand holds/stops.
- Exhaust system.

**GLARE**—Snow produces a glare that can adversely affect vision. The sun, shining on the snow, makes the problem worse. Keep a pair of sunglasses in your vehicle and use them.

**FOG**—Remember, with moisture on the ground (in the form of snow) you are apt to run into foggy conditions frequently. Fog, coupled with slippery conditions, requires slowing down, and more alertness and attention to maintaining a safe following distance. In fog, driving with lights on low beam improves your visibility and your vision. Watch the right edge of the roadway to assure your vehicle is on the road.

**BRAKING**—Know how and when to brake. When possible, use the braking power of the engine by downshifting to a lower gear rather than by using the brakes. When you must brake, do not jam on the brakes—tap and release them in a pumping motion. Do not brake in the middle of a curve. If your vehicle goes into a skid, take your foot off the brake.

4/2020

**SKIDS**—Do not panic. Do not over steer. Do not jam on the brakes. Remove your foot from the accelerator. For rear drive vehicles, turn the steering wheel in the direction of the skid: e.g., if the rear end of the vehicle is skidding toward the right, turn the steering wheel to the right. When you are able to regain steering control, you may be able to resume braking by pumping the brakes lightly.

**TRACTION**—To regain traction and avoid skids—start out slowly if parked on a slippery surface. If your wheels start spinning, let up on the accelerator until traction is returned. Before going up a hill, increase speed (within reason) to build up momentum to help you climb. Before going down a hill, especially a steep one, slow down by shifting into a lower gear. Use your brakes only with extreme caution when going down a slippery hill. Remember the point discussed earlier in this chapter under “slippery road surfaces”.

**HILLS**—When approaching, either ascending or descending, observe other vehicles on the hill and how they are reacting to conditions. Stay well behind the vehicle in front so that you can go around it if it becomes stuck. If other cars begin to slide, spin out, or have to back down the hill, wait until you have enough room to maneuver before going up the hill yourself. By observing what other vehicles are doing, it may be apparent that the hill is just too slippery and dangerous. Contact your dispatcher and report the conditions. If you get stuck, use your best judgment. The action you take when stuck depends on how badly you are stuck. Whatever you do, avoid spinning your wheels since this will aggravate the problem. If the snow is deep, shovel the snow from in front and back of the wheels (both front and rear wheels). Also, shovel out as much snow from under the vehicle as you can. You may need to call the dispatcher to get help. Until help arrives, you should set out flares or triangles to alert other traffic.

**DO NOT LET ANYONE STAND DIRECTLY BEHIND THE REAR WHEELS.**

If you are using devices under the wheels for traction or if the wheels dig into the dirt or gravel, individuals behind the vehicle may be injured by rocks or objects thrown rearward by the spinning wheels. If possible, try to keep the front wheels pointed straight ahead until the vehicle is moving. The rolling resistance of the front wheels is lessened when they are not trying to move sideways. If your wheels keep spinning and the vehicle does not move, stop and let your tires cool. Tires heated from spinning will just dig deeper into ice and snow. If nothing works, try to rock the vehicle out of the rut by alternatively shifting from reverse to drive (with automatic transmissions). Check your owner’s manual to make sure such a procedure can be followed with your particular vehicle.

## **SNOW AND ICE REMOVAL**

4/2020

Do not wait until the last minute to load your vehicle with those items you will need to combat snow or ice. Depending on local transit system policy, you may want to put the following into your vehicle so that they will be readily available when you need them:

- A flashlight
- An ice scraper
- A brush to remove snow from the vehicle
- Extra fuses for vehicle electrical systems
- A rag to clean lights and windshield
- A pair of work gloves and a small shovel
- Battery booster cables

Visibility is always critical. But, in cold, wintry weather, many motorists take unwarranted chances by cleaning just a portion of the windshield and rear window when they have been iced over or by brushing off snow only from the windshield and rear window. Such laziness invites disaster, since they may be unable to see your vehicle clearly.

**SNOW REMOVAL**—If your vehicle is covered with snow, it is essential that all snow be removed from the hood, all glass surfaces, roof and lights before driving. When driving, vehicle movement and stops can result in snow sliding from the roof onto the windshield or rear window, obscuring visibility. Wind and the mere movement of the vehicle can have the same effect. Ice scrapers should be used with care. When edges become burred or chipped, the scraper should be replaced. Use of a damaged scraper or trying to dig out encrusted ice with the point of the scraper can result in scratches to the glass and may even cause the glass to break because its strength has been weakened.

**RECESSED WIPERS**—Persons who have windshield wipers that disappear into a recess below the windshield, when not in use, must be especially careful to keep such recesses free of obstructions during snowy or cold weather. If the vehicle is outside during a snowstorm, such recesses must be cleared of snow and ice before wiper use. While driving in a snowstorm, it may be necessary to stop periodically and clear accumulated snow and ice from such recesses. In cold weather, even if there has not been snow, it is a good idea to check wiper blades before driving to make sure they operate properly. Should wiper arms or wipers be frozen fast, the wiper motors could be seriously damaged, a fuse may blow, or bits of the blade rubber may be torn loose making the wiper ineffective. Remember that most things break more easily in extreme cold.

## **DRIVING IN VERY HOT WEATHER**

During pre-trip inspection, please pay special attention to the following:

- Tires
- Engine oil
- Engine coolant
- Engine belts

4/2020

--Hoses

Tar in the road pavement frequently rises to the surface in very hot weather. Spots where tar “bleeds” to the surface are very slippery. Be aware that windows can shatter with the slightest jar when very hot. Go slow enough to prevent overheating. High speeds create more heat for tires and engine.

## **ACCIDENT PROCEDURES**

When you are involved in an accident and not seriously hurt, you need to prevent further damage or injury as well as deal with the current problem. The basic steps are:

--Try to get your vehicle to the side of the road, calling the dispatcher on the way to report your status.

--Put on your flashers.

--Set the parking brake.

--Tell the passengers you will be right with them after you protect the vehicle from being hit by setting out warning devices.

--Set out three reflective triangles to warn other traffic.

--Comfort passengers and administer any first aid that is required.

--Get outside help if necessary.

--Collect information.

In all cases, the first thing to consider is passenger safety. When pulling the vehicle off the road, the driver should try to leave room for passengers to get off the vehicle, paying particular attention to those in wheelchairs. If you must position the vehicle on a hill, remember the following wheel positions for maximum safety.

--Uphill with curbing: front wheel to left, chock block behind a rear tire

--Uphill without curbing: front wheel to right, chock block behind rear tire

--Downhill with or without curbing: wheels to right, block in front of rear tire

Once parked, the driver needs to decide whether or not to evacuate the vehicle.

Ordinarily, passengers are safer if they remain on the vehicle; evacuated passengers may wander into the road and be hit by another vehicle. The driver maintains more control over what happens to the passengers if they remain on the vehicle. Passengers, however, must be evacuated under any of these circumstances:

--A fire or other condition (leaking fuel) that makes the vehicle unsafe. In the case of leaking fuel, turn the vehicle off, do not use flares, and no smoking around the vehicle.

--The position or location of the vehicle is unsafe.

--The driver is instructed to do so by the dispatcher, police, or firefighters.

Always, the driver must decide whether the passengers will be safer on the vehicle or off. If you need to evacuate the vehicle, the passengers should move to a safe location at least 100 feet from the vehicle. It is critical that you follow your systems’ policies and evacuation procedures. Practice using them in a simulated emergency often enough to become very familiar with them. An accident is one of the worst things that can happen to any driver, but particularly to a transit driver who is responsible for the well being of

4/2020

passengers. In addition to caring for the passengers and trying to protect the vehicle from additional damage, drivers must avoid saying or doing anything that might result in increased liability to the transit system. Do not lay blame to anything dealing with an accident. Tell your side of the story to the police officer only. Exchange names and insurance information with the other party. Do not get into an argument with the other party, let the police do their job. Also, get names and addresses of witnesses.

## **PASSENGER INJURIES**

--Look up and down the vehicle to see if there are any unconscious or injured passengers. Look for bleeding, broken limbs, vomiting, or poor breathing. You should administer first aid if you are qualified to do so.

--Look for other signs, such as disorientation, confusion, or inability to respond to your questions. These signs may indicate shock or a serious head injury.

--You may leave your vehicle and check others for injuries only after you have determined that there are no serious injuries on your vehicle.

--When you contact your dispatcher, give the following information:

--exact location of the vehicle

--extent of injuries

--if the police, fire, or ambulance have been contacted

--number of passengers on board

--number of vehicles involved and an estimate of the extent of damage

--other information that might be required

## **COLLECTING INFORMATION**

Once you have responded to the accident by following the procedures described above, it will be necessary to obtain information and perform other actions to protect your passengers and your transit system. The most important of these activities is to document what happened.

--Notify S.A.T. of passengers on your vehicle

--Get the vehicle license plate number and name/address of driver in the other vehicle,

--Get the names of any witnesses to the accident.

--Record any details that might be needed for a later investigation or court case.

--If an ambulance was called, write down the hospital it went to.

--Note the time and specific location of the accident.

--Do not blame others or take the blame for the accident.

--Avoid discussing details with witnesses or the other vehicles driver.

--Answer questions asked by officials, but do not offer any information.

--Do not make statements to the press or bystanders.

--Do not be photographed with your vehicle in an accident situation.

--If contacted by an attorney or other official, refer them to the Office Manager.

Keep an eye out for details:

4/2020

- Are there any liquor, beer bottles, or signs of drugs in the other vehicle(s)?
- Are any of the people acting strangely?
- Do you notice anything unusual about the scene or the vehicles involved?
- Fill out all SAT paperwork dealing with accidents and incidents.

## **FIRES**

Learn the causes of fire, how to prevent them and what to do to extinguish them.

### CAUSES OF FIRES:

**The following are some causes of vehicle fires:**

- After accidents...**spilled fuel, improper use of flares.**
- Tires...**under inflated tires**
- Electrical system...**short circuits due to damaged insulation, loose connections.**
- Fuel...**Driver smoking, improper fueling, loose fuel connections.**

### FIRE PREVENTION:

Pay attention to the following:

- Pre-trip inspection...make a complete inspection.
- Make sure your gasoline tank cap fits securely.
- Keep the inside of your vehicle clean and free of debris.
- En route awareness...monitoring of instruments and gauges. Use the mirrors to look for signs of smoke from tires or other parts of the vehicle.
- Caution... use normal caution in handling anything flammable.

### FIRE FIGHTING:

Knowing how to fight fires is important. Drivers who try to extinguish the fire incorrectly have made fires worse. Here are some procedures to follow:

- Do not panic.
- Activate the four-way flashers.
- Pull safely off the roadway. Park in an open area, away from buildings, trees, brush or other vehicles that might catch fire. Do not pull into a service station.
- Use your radio to notify the dispatcher of the problem and location of the vehicle. Do this while pulling off the roadway if you can safely do so.
- Evacuate the vehicle, moving passengers well away from the vehicle.
- Shut off the master electrical switch.
- Attempt to put out the fire. With an engine fire, turn off the engine as soon as you can. Do not open the hood if you can avoid it. Shoot the extinguisher foam through louvers, radiator, or from the underside of the vehicle. Use the appropriate type of extinguisher on electrical and burning liquids. Do not use water on an electrical fire (you could get shocked) or gasoline fire (it will just spread the flames). A burning tire will take a long time to cool down. If you are not sure what to use, wait for the fire department.

4/2020

## **EXTINGUISHING THE FIRE**

Here are some rules to follow in putting out a fire:

- Know how the fire extinguisher works. Study the instructions before you need to use it and be sure it is in good working order at all times.
- When using the extinguisher, stay as far away from the fire as possible.
- Aim at the source or base of the fire, not up in the flames.
- Position yourself upwind. Let the wind carry the extinguisher to the fire rather than carrying the flames towards you.
- Continue until whatever was burning has been cooled. Absence of smoke or flame does not mean the fire is completely out or can not restart.
- Only try to extinguish a fire if you know what you are doing, and it is safe to do so.

## **PASSENGER ILLNESS**

One of the most frightening situations a driver can face is a passenger's sudden illness. In these situations, the driver can literally be forced to make life and death decisions. These situations are a true test of a driver's professionalism, common sense, and ability to act quickly under pressure. Following are some guidelines for you to follow in these situations. After safely securing the vehicle, determine the nature of the passenger's illness. Possible sources of information include:

- The passenger (if he/she is able to communicate).
- Any friend or relative of the passenger that is on the vehicle.
- Other passengers who may have observed what happened.
- Your own observations.

If you have been trained, you may wish to administer first aid or CPR, especially if this appears life threatening. Notify the dispatcher as soon as possible. At that point the dispatcher may alert medical authorities. Keep the ill passenger as comfortable as possible while waiting for help. Conditions that may cause your passengers to become ill are: motion sickness, heart attacks, and strokes.

### **MOTION SICKNESS**

The usual indications of motion sickness are:

- Nausea
- Profuse sweating
- Hyperventilation (dizziness caused by rapid breathing)
- Paleness
- Claustrophobia (feeling of being too closed in)

Unless there are unusual symptoms, motion sickness is rarely a serious problem and does not require medical attention. Your concern is to make the passenger more comfortable. However, you should still notify your dispatcher to protect yourself and the transit system.

### **HEART ATTACKS AND STROKES**



4/2020

While heart attacks and strokes are very different conditions, they frequently have similar symptoms and require the same actions from you. The common symptoms are:

- Disorientation
- Pain in arms and chest
- Pale, clammy skin
- Difficulty breathing

Often, the person experiencing a heart attack or stroke will deny having any problem. Nevertheless, it is best to play it safe, because there is a risk of serious injury or death if you do not.

- Call 911 first for any and all medical emergencies.
- Contact the dispatcher for medical help immediately.
- Have the passenger relax and keep still.
- Make the passenger as comfortable as possible.
- Keep other passengers from crowding.
- Watch the passenger closely until help arrives.

--If the passenger loses consciousness and appears to have stopped breathing, administer CPR only if you are trained and qualified to do so. Remember a heart attack and stroke is a serious medical condition that requires professional help. As important as knowing what you can do to help is recognizing what you can not do.

## GENERAL GUIDELINES ON PASSENGER ILLNESS AND INJURY

If there is any possibility that medical help may be needed, call 911. Keep the ill passenger as comfortable as possible. Use a blanket or coat to keep the passenger warm, loosen restrictive clothing, open a window for fresh air, or get water. Always protect against shock by comforting passengers and keeping them warm. Calm the other passengers. Keep them away from the ill passenger and inform them when you expect to be under way. Reassure the ill passenger that help is on the way and that he/she is not causing undue inconvenience to the other passengers. Never give a passenger medication, even aspirin. Even after the passenger appears to be better, observe the passenger and periodically ask how they are doing.

## PASSENGER EVACUATION

To be successful, the evacuation process requires that you know what to do, how to do it and when to do it—plus, fully understand the equipment on the vehicles you operate. Being well trained in how to deal with evacuation emergencies will make it easier for you to remain calm. Remaining calm is crucial. Time and conditions permitting, tell the passengers in a calm, clear, and concise manner that there is an emergency. An explanation of what they are required to do will help prevent passenger hysteria. Additionally, tell them that you have called 911 and help is on the way. Passengers should be advised that help is on the way, but for their safety it is best they leave and/or be assisted from the vehicle. Encourage passengers to adopt a “buddy” for shared

4/2020

support through the emergency. Continued reassurance to passengers while performing your duties will also be helpful in eliminating any panic.

The use of able-bodied passengers or passerby's must be done with great care. The ability to remain calm and give clear and concise instructions to helpers will prevent unnecessary injuries. Placement of hands and feet and body position can be done by example. In other words, as you are positioning yourself, show your helper where they should be and as you position your hands and feet, you can show your helper what they should do. Make it clear what commands will be used to start whatever you will be doing. If you use 3 on count 3, your helper is better able to synchronize his or her actions with you, rather than just using "GO" or some other single command.

#### STEPS OF THE EVACUATION PROCESS:

- Release passengers from their passenger restraints or seat belts by unbuckling or cutting. (If passengers are in a wheelchair, do not waste time unbuckling or releasing the wheelchair securement system—instead, first remove the passenger then if time permits recover the wheelchair).
- Move the passenger from the seat or wheelchair to floor level. (If the passenger can walk, assist to a standing position).
- Move passengers to the "best" usable exit. The term "best" is used since the nearest exit may not work (door is too narrow, lift platform may be blocking doorway, door may be jammed, etc.).
- Move passengers from floor level to ground level.
- Move passengers away from the vehicle to a safe location.
- Assist the passenger back into their wheelchair if the wheelchair can be safely recovered and conditions permit.

You can perform some evacuation techniques safely with no assistance. Some techniques require the assistance of at least one other person. Narrow confines of most vehicles make it difficult for two people to work together. However, moving passengers from floor level to ground level and from there to safety may be more speedily and safely accomplished with help.

#### VEHICLE BREAKDOWN

No matter how carefully the system mechanic checks your vehicle, there is always the possibility of a breakdown when you are on the road. When the vehicle does breakdown or shows a change in performance, the problem usually falls into one of four categories:

- Electrical system
- Power train (engine, transmission, differential, drive lines, etc.)
- Heating/cooling
- Chassis (wheels, axles, springs, shocks, frame, etc)

4/2020

## **INDICATORS OF ELECTRICAL PROBLEMS**

The electrical system provides the ignition to keep the engine running as well as operating such accessories as lights and fans. Signs of a problem in the electrical system include:

- While engine is running, dash warning lights come on or gauges indicated unusual readings.
- Lights surge or fade (lights increase in brightness as you accelerate).
- Lights and signals do not come on at all.
- Engine does not turn over when you try to start the engine.
- Engine suddenly dies.
- Momentary loss of lights.
- Engine cranks but will not start.

## **INDICATORS OF ENGINE HEATING AND COOLING SYSTEM PROBLEMS**

The heating and cooling system keeps the engine at the proper operating temperature. Failure of this system can result in the destruction of the engine. There are four signs of failure in this system.

- The vehicle does not heat or cool properly
- Gauges, lights, or buzzers warn of problems
- Vehicle is leaking water or coolant
- Steam is visible from the engine compartment

## **INDICATORS OF PROBLEMS IN THE CHASSIS**

The chassis, for present purposes, refers to the tires, bearings, axles, frame, shocks, springs, and brakes. These are some of the indicators of problems in the running gear:

- Rough ride.
- Poor braking performance.
- Unusual sounds and steering problems.

## **INDICATORS OF ENGINE PROBLEMS**

Finally, there are problems that can develop in the engine itself. Some of the indicators are:

- Overheating.
- Rough running and/or heavy smoke.
- Engine will not start or remain running.

## **PROCEDURES**

Follow the same steps you follow in an accident discussed earlier in this chapter. You will not have any injured passengers, but still need to keep them as comfortable as possible; always informing them of the reason for the delay and what is being done to

69

4/2020

correct the problem. Keep the passengers on the vehicle unless they are to be transferred to another vehicle or will be in danger if they remain on board. The dispatcher should tell you whether another vehicle would be sent to transport them to their destinations.

## **TIRE FAILURE**

There are four important things that safe drivers do to handle tire failure safely:

- Be aware that a tire has failed.
- Hold the steering wheel firmly.
- Stay off the brake unless you are about to run into something. Immediately release the accelerator pedal until the vehicle has slowed down. Then pump the brakes very gently and pull off the road and stop.
- After stopping check all tires.

The loud “bang” of a blowout is an easily recognized sign. Because it takes a few seconds for your vehicle to react, you might think it was another vehicle. But any **time** you hear a tire blow, you should assume it was yours. If the vehicle thumps or vibrates heavily, it may be a sign that one of the tires has gone flat. With a rear tire, that may be the only sign you get. If the steering feels “heavy” it is probably a sign that one of the front tires has failed. Sometimes, failure of a rear tire will cause the vehicle to slide back and forth or “fishtail”.

## **GAS PEDAL STICKING**

In the event that the gas pedal sticks:

- Pump the gas pedal with several quick jabs.
- Neutralize the engine by placing the transmission in neutral.
- Apply the brakes.
- Pull safely off the roadway.
- Shut off the engine.
- Call the Transportation Supervisor.

## **ENGINE FAILURE/VEHICLE MOVING**

In case the engine fails while you are moving, use the following guideline:

- Shift transmission into neutral.
- Attempt to restart the engine.
- Drive safely off the roadway if possible.
- Activate the four-way flashers.
- Call the Transportation Supervisor.

## **SKID CONTROL AND RECOVERY**

4/2020

A skid happens whenever the tires lose their grip on the road. This is caused in one of four ways:

- Over braking—Braking too hard and locking up the wheels.
- Over steering—Turning the wheels more sharply than the vehicle can turn.
- Over acceleration—Supplying too much power to the drive wheels, causing them to spin.
- Driving too fast—Most serious skids result from driving too fast for road conditions.

By far the most common skid is one in which the rear wheels lose traction through excessive braking or acceleration. Skids caused by acceleration usually happen on ice or snow. Taking your foot off the accelerator can easily stop this. If it is very slippery, push the clutch in. Otherwise, the engine can keep the wheels from rolling freely and regaining traction. Rear braking skids occur when the rear drive wheels lock. Because locked wheels have less traction than rolling wheels, the rear wheels usually slide sideways in an attempt to “catch up” with the front wheels.

Do the following to correct a drive-wheel braking skid:

- Release the accelerator pedal.
- Stop braking—This will let the rear wheels roll again and keep the rear wheels from sliding any further. If on ice, push in the clutch to let the wheels turn freely.
- Turn quickly—When a vehicle begins to slide sideways, quickly steer in the direction that the rear end is skidding. You must turn the wheel quickly.
- Counter-steer—As the vehicle turns back on course, it has a tendency to keep right on turning. Compensate by turning the steering wheel quickly the other way, or you may find yourself skidding in the opposite direction.

## **HELPING PASSENGERS WITH PERSONAL ASSISTANCE DEVICES**

Use the following guidelines when you are interacting with a passenger who has special needs:

### **Assisting Passengers Who are Using Canes:**

- Always ask the disabled passenger if you can assist her/him prior to assisting the passenger
- Assist from the opposite side of the cane.
- Canes, walkers and other personal assistance devices should be stored so that they do not interfere with movement in the vehicle.
- Amputees should be seated in cool areas during hot weather.

### **Assisting Developmentally Disabled Passengers:**

- Treat the passengers with respect.
- Be patient and repeat instructions when necessary.
- Be firm if they insist on doing something that will endanger you, them or the other passengers.

4/2020

**Assisting Hearing-Impaired Passengers:**

- Look directly at them so they can see your lips.
- Talk normally (do not shout) and do not exaggerate your speech.
- Be prepared to repeat yourself.
- Get another person to talk to them if the passenger has trouble reading your lips.
- Use a pad and pencil when needed.

**Assisting Speech-Impaired Passengers:**

- Do not hesitate to ask speech-impaired persons to repeat anything that you do not understand.
- Be patient; the passenger's speech condition may become more difficult to understand if the passenger is under stress.

**Assisting Passengers with Visual Impairments:**

- Don't touch the passenger until you tell them who you are and what you intend to do.
- Do not shout at the passenger.
- Before boarding the passenger, take their hand and show them the door openings as well as the seat and mention any hazards.
- When escorting the passenger, remain on the opposite side of their cane and have them hold your arm. Advise the passenger of any changes in ground texture or elevation level.
- When walking with a passenger, call out turns and maneuvers at least five (5) steps in advance.
- If the passenger uses a service animal, it may be helpful to learn the name of the animal for future reference. Avoid any abrupt movements toward the animal or the passengers.
- Seat visually impaired passengers against vehicle walls when possible or seat the passengers in seats with arm rests in order to assist them in keeping their balance.

## **NIGHTTIME DRIVING PROCEDURES**

Several hazards associated with night driving are list below:

- Reduced visibility
- Glare
- The need for increased reaction time
- An increased number of tired and intoxicated drivers

Procedures for driving at night:

- Inspect and clean your headlights, taillights, windshield, clearance lights, reflectors and turn signals.
- Increase your space cushion by driving at a slightly slower speed than you usually would during the day.

4/2020

- Turn your lights on early and avoid the glare of oncoming bright lights by watching the right edge of the roadway. If someone is needlessly using bright light, do not turn your bright lights on in response to their lights.
- Make sure that your speed does not overdrive your headlight visibility.
- Do not break more than necessary. Use engine and lower gears to help you to slow down the vehicle when traction is poor.
- Keep the fuel tank at least half full.

### **TRANSPORTING ELDERLY PASSENGERS PROCEDURES**

Use special care in serving elderly passengers:

- Dispatcher needs to be especially patient when giving elderly passengers information regarding vehicle routes and schedules.
- Give elderly passengers more time to get on or off the vehicle.
- Ask the elderly passengers if they would like your assistance before assisting them.
- If the elderly passenger refuses assistance, stay close to prevent them from tripping or falling.
- When assisting elderly passengers, do not put too much pressure on the passenger's arm.
- When letting elderly passengers on or off a vehicle, pull the vehicle close to the curb so the passenger won't have to step very far.
- Be sure elderly passengers do not sit too close to heaters or other such hazards.
- Elderly passengers may need to be reminded where to get off of the vehicle.
- Keep temperature controls warm in the winter and cool in summer.
- In cases of emergencies, drivers should notify dispatchers about possible health problems of elderly passengers.

### **WHEELCHAIR BOARDING METHODS**

Your customers' safety will depend on more than just safely transporting them to their destination, their safety will also depend on how well you board and secure their wheelchairs. Several wheelchair boarding guidelines are indicated below:

4/2020

- Roll the wheelchair onto the lift, making sure that the front wheels are inside the platform roll stop while the roll stop is in the upright position.
- Lock the brakes.
- If the passenger has the capability to do so, ask the passenger to hold on to the handrails provided on the lift. If the passenger does not have the capability to hold onto the handrails, ask the passenger to hold his/her hands in his/her lap.
- Before operating the lift for boarding, ask the passenger if he/she is ready. Keep one hand on the lift controls. Ask the passenger if it is okay for you to rest your other hand lightly on the armrest of the wheelchair as the lift goes up while you stand on the ground; this will keep you alert to the stability of the chair while also providing the passenger with psychological comfort.
- Make sure that the lift is level with the floor before stopping. Be sure that there is a smooth surface created by the vehicle transition plate so that the wheelchair rolls smoothly over it and into the vehicle.
- From inside the vehicle, hold the wheelchair handle as you unlock the brakes. (Turn the power back on or engage the clutches of a motorized wheelchair if needed.)
- Make sure the passenger's head does not hit the ceiling upon entering the doorway.
- The ADA states that wheelchairs should always be secured facing the front of the vehicle, with the exception given to some older vehicles that are not yet appropriately equipped.
- The driver should never stand on the lift.

## **WHEELCHAIR LIFT AND SECUREMENT PROCEDURES**

Always follow the guidelines below to ensure safe lift operation and passenger safety:

- Always inspect a lift prior to each use (look for loose nuts, bolts, etc.). The lift should also be run through one cycle at the beginning of the day and checked off with the Pre-Post Trip Inspection Sheet.
- Before deploying a lift for use, safely park the vehicle on level ground, turn the engine off (unless otherwise specified by the manufacturer) and check for obstacles to avoid in area where lift is to be deployed. Make sure that hands, feet and clothing are away from folding parts of the lift.
- Only passengers and their mobility devices should ride the lift.



4/2020

- When operating a lift with a passenger on it, allow the lift to go all the way up to floor level or down to the ground without stopping.
- Have the passenger use the handrails and never leave a passenger unattended on a lift.

Assisting Wheelchair Users on the Lift:

- Wheelchair users can choose to ride a lift either facing away from the vehicle or facing the vehicle. The preferred method is to have the passenger facing away from the vehicle because it positions the bulk of the weight where there is more structural support and allows the driver to pull the wheelchair into the vehicle or push the wheelchair onto the lift by the handgrips.
- In the preferred positions, the small front wheels of the wheelchair are less likely than the large back wheels of the wheelchair are less likely than the large back wheels to roll over the platform roll stop.
- The preferred position also reduces the possibility of the passenger's feet or toes getting caught between the lift platform and the vehicle when the passenger is riding upward.

## **SECURING AN OCCUPIED WHEELCHAIR**

To ensure the safety of your passengers, consistently use good practices in handling wheelchairs:

- **Always** use a four-point tie-down to the floor of vehicle.
- Tie-downs should be attached to the strongest part of the device which is the frame.
- Lap boards or metal and plastic trays attached to the chairs should be removed and secured.
- Liquid oxygen being transported should be securely mounted/fastened to prevent damage
- Aspirators, ventilators/other equipment must be securely mounted to wheelchair or vehicle.
- Never restrain a child's head separately such as with a headband attached to the back of the seat. Restraining a child's head separately can cause excessive strain on the child's neck. Many children now have special neck braces to support their head during transport.

## Driver Responsibilities and ADA Best Practices

The requirements of the Americans with Disabilities Act (ADA) affect all parts of a transit operation. Arguably the most visible of these are the responsibilities of the individual vehicle operator. While the requirements of the ADA do address the activities of vehicle operators, they do not always provide procedural guidance. This paper is written to help illuminate the requirements and to help your transportation service to be in compliance with the rules and regulations of the Code of Federal Regulations (49 CFR) which is the ADA.

Each requirement is followed by a “Best Practice” that will help your system to reach compliance. *The most important action that you can take is to implement board-certified policies and procedures that ensure that your system’s daily operations correctly and clearly follow the requirements of the ADA.*

These are requirements under 49 CFR:

**1.** Perform lift maintenance (according to transit system’s policy and procedures) regularly and conscientiously. (49 CFR 37.163)

**Best Practice:** Check lift by running through one cycle as when doing the pre-trip inspection every morning before leaving on a route.

**2.** Immediately report an inoperative lift to the transit system’s supervisor. Transit systems are required to maintain in operative condition “features” (lifts, securement devices, etc.) necessary to make vehicles accessible to individuals with disabilities and to promptly repair the features which are inoperable. (49 CFR 37.161 and 37.163)

**Best Practice:** Inform the transit system’s supervisor of the lift condition or the tie-downs being in bad shape or make note of the conditions and give to the supervisor immediately.

**3.** Take reasonable steps to accommodate a passenger who would use a feature that is inoperable. (49 CFR 37.161)

**Best Practice:** Inform the dispatcher of the problem and ask for another properly equipped vehicle to be sent out to transport the passenger. Find out the approximate time of arrival of the vehicle and inform the passenger.

**4.** Immediately inform a supervisor that an individual needs transportation that is unable to board a vehicle because of a broken lift. (49 CFR 37.163)

4/2020

**Best Practice:** Inform the supervisor of the damage or inability of the lift to operate properly, seek their advice on continuing the route. Lifts are supposed to be repaired in five days of break down. If the supervisor knows about the lift right away, they can make arrangements to have it repaired quickly.

Provide adequate time for a passenger with a disability to board and/or disembark the vehicle, which includes adjusting the schedule if necessary, to accommodate slower passengers and waiting for passengers to be seated before moving the vehicle. (49 C FR 37.167)

**Best Practice:** If a passenger is transported on a regular basis i.e., everyday, and is slow to board the vehicle, then the time for the slower passenger to get to and enter your vehicle should be in the schedule. Some passengers are very slow in getting from the porch to the vehicle or in taking a seat on the vehicle, this can slow the schedule down considerably. Talk to the dispatcher explaining the time it takes this passenger to get on the vehicle and sit down, then work on a time schedule that will accommodate the passenger. It will help the transit system to stay on time for other passengers.

6. Leave the driver's seat if necessary, to assist a passenger with using the vehicle ramp, lift and/or securement systems. (49 CFR 37.165)

**Best Practice:** The driver should leave their seat to help a passenger. This is for safety reasons and will dispel any attempt of a passenger to say that the driver would not assist them when they needed help. **Always ask the passenger** if they need help before attempting to give help.

7. Use the vehicle securement systems to secure wheelchairs and other mobility devices. (49 CFR 37.165)

**Best Practice:** If the driver secures the passenger in the wheelchair using the tie-down straps, the driver will then be assured that the passenger will have a safe ride. Never allow a passenger to ride if they are not secured properly, (this rule should be in the board-certified policies and procedures of the transit system), unless the securement system will not accommodate the wheelchair. If the tie-down system is not compatible for the wheelchair the passenger is using; the driver still has to make an attempt to safely secure the wheelchair. If the wheelchair can not be secured because of the wheelchair design, the passenger still has the right to ride the vehicle. Drivers cannot deny a passenger a ride based on the inability to secure the wheelchair. Drivers must warn the passengers of the danger of riding in a non-secured wheelchair.

8. Allow a passenger who uses the lift to disembark at any stop, **UNLESS:**  
a. The lift cannot be deployed;  
b. The lift will be damaged if deployed;

Conditions at the stop would present unsafe conditions for **ALL** passengers

4/2020

(49 CFR 37.167). *In other words, drivers may not judge that a designated stop is unsafe solely due to a passenger's particular disability. (ADA Section 223)*

**Best Practices:** The driver must make sure before pulling into a stop or up to a location or destination that the area where the passengers would disembark is safe for all passengers, those who are ambulatory as well as those who use mobility devices to navigate the area safely.

9. Identify the vehicle to a passenger who has a visual impairment. (49 CFR 37.167)

**Best Practice:** For paratransit drivers it is best to go to the person and let them know that the transit vehicle is there to pick them up. (Do the same thing for a person who has a cognitive disability). This is a good service practice and gives the passenger confidence in the driver and the transit system. When driving a fixed-route bus, the driver must call out the name of the route when pulling into the bus stop, ask the person at the stop if this is the bus they want to board.

10. Announce transfer points, major intersection points and destination points on fixed routes. Announcements should be made often enough to orient passengers who have visual impairments to their location. (49 CFR 37.167)

**Best Practice:** The driver must make the announcements loud enough for all passengers to be aware of the area they are traveling in or may want to disembark in. People who have visual disabilities or cognitive problems will need these announcements so they can stay oriented to the areas of travel. Other passengers may be hearing impaired and need to be told where to get off the bus. The driver may have to stop the vehicle and go to the hearing-impaired passenger and let them know they are at their bus stop. Drivers will have to remember to let specific passenger know when to disembark the vehicle at places that are requested by the passenger. Paratransit driver should give the same courtesy to all the passenger by announcing arrival at the destination point just before stopping the vehicle. This courtesy will allow passengers to get ready to disembark from the vehicle in a timely manner.

11. Allow other individuals (family or friends), in addition to a personal care attendant, to accompany the passenger as an ADA-eligible passenger (a fare will be charged) only if space is available and it does not cause a ADA-paratransit-eligible individual to be denied service. (49 CFR 37.123)

**NOTE: "Accompanying individuals" must have the same origin and destination as the eligible individual.**

**Best Practice:** Drivers should notify the office of an additional passenger. Have the dispatcher check to see if another driver has the return of the eligible passenger or will the other driver have enough room for the additional passenger. Make sure a return trip

4/2020

is available before allowing the extra passenger to ride. This will keep confusion down and will allow for good public relations for the agency. On a city bus this is not necessary because anyone can board a city bus with all of their friends if they desire, space is not so limited. In the paratransit vehicle seats are usually taken up by regular passengers and are limited.

**12.** Allow any service animal (not only dogs) accompanying a passenger with a disability to ride the vehicle. (49 CFR 37.167)

**Best Practice:** If the driver is in doubt about an animal, they can question the passenger as to the authenticity of the animals being a service animal. If the passenger refuses to give an answer, they can still ride with the animal. There are a variety of animals used to assist a passenger in traveling, and other life necessities. Most passengers will tell the driver that they have a service animal and will ride with it. Remember the person with the service animal is in charge of that animal.

These animals may be dogs, monkeys, Vietnamese Pigmy Pigs and some breeds of birds and are trained in certain expectations to assist the passenger. The driver must realize that these animals are harmless to them and their passengers and are needed by the passenger in order to live an independent lifestyle.

**13.** Allow a passenger with a disability to carry a respirator or a portable oxygen supply that is in compliance with the USDOT's regulations regarding the transportation of hazardous materials. (49 CFR 37.167)

**Best Practice:** Do not handle the respirator or oxygen tanks unless it is necessary to secure them in the vehicle. If a driver has to secure them, make sure that the tanks are out of the way of other passengers. Put it up in the seat and wrap a seat belt around it to keep it from falling or being damaged, etc. Be aware of the location of oxygen lines if the tanks are hooked up to a wheelchair; do not crimp the lines with the tie-down straps.

#### **UNDER 49 CFR**

### **DRIVERS ARE NOT ALLOWED TO:**

**14.** Deny an individual with a disability the opportunity to ride a public transportation vehicle if the individual is capable of using the transportation service. (49 CFR 37.5)

**Best Practice:** Allow everyone the opportunity to ride that can use the service with minimum assistance. Assist the passenger within limits dictated by the transit system's board-certified policies and procedures. If the driver goes to pickup a passenger at a

4/2020

nursing home and that passenger is not able to communicate or move their own wheelchair by themselves, that person needs an assistant/attendant. The driver should report this situation to the transit system's dispatcher, get advice or have someone (supervisor or manager) call the nursing home requesting an assistant/attendant, to accompany the passenger on the trip for safety reasons and to keep the driver from having to perform attendant services.

Require that an individual with a disability use the designated priority seating. (49 CFR 37.5)

**Best Practice:** Drivers can request that a passenger with a disability sit in a designated area but can not make them sit there. Drivers are advised to warn the passengers of the dangers of going to the rear of the vehicle in a way that does not offend the passengers. Example; "It would be safer for "ANYONE" to sit up here in these seats, "ANYONE" could be injured going to the back of the vehicle. Suggestion is okay, but the driver cannot force the issue.

Impose special financial charges on an individual with a disability for special accommodations needed to transport them, such as for storing a wheelchair  
(49 CFR 37.5)

**Best Practice:** Make sure all transit system's drivers, dispatchers, and office workers understand this rule. A passenger with a disability will pay the same fare as the general public pays on fixed route, regardless of the amount of assistance involved in transporting the passenger. On community transportation or paratransit, the passenger either pays by mileage, set fare, human services or no more than double the fixed route fare, (in urban areas) but cannot be made to pay extra for special accommodations.

**17.** Require an attendant to accompany an individual with a disability, unless the agency has required an attendant as a condition of providing service in order to mitigate a previously defined problem. However, drivers are not required to provide attendant services, such as assistance in toileting, feeding, dressing, etc. (49 CFR 37.5)

**Best Practice:** Refer to number 14 above. Drivers should be told the limit or minimum amount of assistance required by the ADA that they must perform to be in line with the regulations concerning the assistance of passengers. If a transit system wants to go beyond the expected limits and allow the driver to assume attendant duties that is the transit system's responsibility.

**18.** Refuse service to an individual because their disability results in an appearance or involuntary behavior that may offend annoy or inconvenience the driver or other passengers. (49 CFR 37.5)

4/2020

**Best Practice:** The driver is to leave the passenger alone when a passenger has a problem related to their disability on the vehicle. For instance, if the person has “**Tourette’s Syndrome**”, they may use profanity or unusual behavior. The driver must be trained to recognize and understand that this person is not in control of this behavior and it is a part of the disability and will soon pass. The driver can explain to the other passengers that this is an episode of a manifestation of trance like behavior and they are not really aware of what is happening. It is like being in a trance and will soon pass. Ask the other passengers to understand and not to take the disabled person’s behavior as a threat or embarrassment.

**19.** Deny transportation to a wheelchair or its user because the wheelchair cannot be secured satisfactorily by the vehicle’s securement system. Drivers must do the best with the available vehicle equipment. (49 CFR 37.165)

**Best Practice:** Inform the passenger that the vehicle’s securement system was not designed for the particular mobility device that they use. Suggest that they move to a seat on the vehicle. If they refuse, the driver cannot force them to move. Say to the person “It is unsafe for “ANYONE” to use this mobility device as a seat in a moving transportation vehicle, it would be much safer for “ANYONE” to sit in a stationary seat”. If they refuse then it is okay, at least the driver has warned them of the possible dangers of sitting in an unsecured mobility device. That’s all the driver can do in this situation, warn them of the danger.

**20.** Require that a passenger who uses a wheelchair, or other mobility device, to transfer into a vehicle seat. (49 CFR 37.165)

**Best Practice:** Refer to number 19. All the driver can do is to suggest that the passenger move to another standard seat in the vehicle and warn them of the danger of using their wheelchair or mobility device as a seat in a moving vehicle.

**21.** Prohibit a passenger, who has a disability from using the vehicle ramp or lift, even if they choose to stand on the lift. (49 CFR 37.165)

**Best Practice:** The driver can inform the passenger of the danger of standing on a moving lift. Tell them that it is unsafe for “ANYONE” to stand on a moving lift, “ANYONE could fall and be injured. Drivers can offer to assist the passenger in boarding the vehicle by way of the steps. Remember, if the passenger refuses to use the steps, the driver will have to allow them to stand on the lift. Operate the lift in a safe smooth manner and remind the passenger hold on to the handrails and to bow their head, before entering the vehicle, so they won’t bump their head on the top of the door opening. The driver could suggest they use a wheelchair that is provided by the transit system, but if they refuse, the driver will have to allow them to stand on the lift, to enter the vehicle.

4/2020

**UNDER 49 CFR**

**DRIVERS ARE ALLOWED TO:**

**22.** Deny service to an individual with disabilities because they are displaying violent, seriously disruptive and/or illegal behavior. (49 CFR 37.5)

**Best Practice:** If the passenger is threatening passengers or the driver, verbally or physically and is abusive to other passengers, the driver can call the dispatcher and relate to the office what is happening and get guidance from them. If the passenger has a weapon and is threatening the driver, the driver might want to try to get the passengers off the vehicle and summon help from the police. (Company policies and procedures should have policies and procedures for this spelled out for the driver in simple easy steps to follow plan so when this occurs the driver is not at a loss on how to handle this situation). The passenger can then be banned from the vehicle if there are charges brought against the offender and results in a court order to do so; otherwise the transit system can only suspend the offender for a limited number of days, weeks, etc. The transit system could ask for an attendant to accompany the passenger to help with this problem of violence, seriously disruptive or illegal behavior. This is mentioned as a solution in the ruling of (49 CFR 37.5)

**23.** To require that a passenger allow their wheelchair to be secured in the designed securement area only, even if the passenger wants their mobility device to be secured in a non-designated area. (49 CFR 27.165)

**Best Practice:** If the passenger will not allow the driver to secure the wheelchair in a securement area designed for wheelchairs, then the driver has a right to deny the passenger a ride and they have to vacate the vehicle. Under the rule of the ADA the drivers are not required to transport a passenger who refuses to have their mobility device secured. (*If the transit system's board certified policies and procedures for the transportation of a wheelchair passenger says, all wheelchair passengers and passengers must be secured with proper tie-down and equipment and seatbelts, then the driver can refuse a ride, if the passenger does not agree to have their wheelchair secured before the vehicle is moved.*) The wheelchair and its user can become a danger to other passengers on the vehicle, in the event of a sudden stop or collision.

**24.** Not to pick up a passenger who uses a wheelchair if all the designated securement areas are being used. However, drivers must immediately inform the transit system that a passenger who uses a wheelchair still needs a ride. (49 CFR 37.165)

**Best Practice:** Inform the office that a passenger was unable to ride because all of the securement areas are in use. Tell them that the passenger in the wheelchair still needs a



4/2020

ride, ask how long it will be before a vehicle will arrive to transport the passenger to their destination. Give the dispatcher the location of the passenger and directions if necessary, path of travel (north on Wade Street or east on Cary Street).

**25.** Recommend or suggest that a passenger transfer to a seat if the wheelchair cannot be satisfactorily secured. (49 CFR 37.65)

**Best Practice:** Remember the decision to transfer out of the wheelchair into a standard vehicle seat is solely up to the passenger. If the passenger refuses, the only alternative is to warn them about the danger of riding in a wheelchair that is unsecured in a moving vehicle. Refer to numbers 19 and 20.

**26.** Recommend or suggest a safer method for a passenger to board a vehicle, rather than standing on the vehicle lift. (49 CFR 37.165)

**Best Practice:** Refer to number 21 and suggest better methods of boarding the vehicle explaining the dangers of riding up on a lift. “ANYONE” could fall and be injured, etc.

**NOTE:**

Riding a vehicle lift while standing and/or remaining on some mobility devices (such as three-wheeled scooters) while riding a vehicle can be dangerous. Drivers are responsible for the safety of their passengers. They must also behave in a responsible manner to protect their transit system from lawsuits that could be brought up as a result of an injury caused by negligence. Since the Code of Federal Regulations states that individuals with disabilities can choose to ride the lift vehicle standing, and refuse to transfer into a vehicle seat, it is the driver’s responsibility to make them aware of the dangers and to inform them of safer methods. If the drivers have a Manual of Best Practices tied into the transit system’s policies and procedures that spell out the expectations of their duties that are laid out in the ADA, it would make the job easier and more professional on the driver’s part.

DRIVERS, if something is being done at your transit system that is not in compliance with any of these regulations, speak to your supervisor immediately.

## **PASSENGER RELATIONS**

### **A PASSENGER**

A passenger is the most important person in our business...in person, by phone, or by mail.

A passenger is not dependent on us...we are dependent on them.

4/2020

A passenger is not an interruption of our work...they are the purpose of it. We are not doing them a favor by serving...they are giving us a favor by giving us the opportunity to serve.

A passenger is not an outsider to our business...they are our business

A passenger is not a cold statistic...they are flesh and blood, a human being with feelings and emotions like you and me...and with biases and prejudices...likes and dislikes.

A passenger is a person who brings us wants. It is our job to handle their requirements so pleasantly and so helpfully that he/she will ride with us again and again.

## **BASIC PASSENGER RELATIONS SKILLS**

There are three basic rules or skills that a transit vehicle driver must follow in practicing professional passenger relations. They are:

- Provide safe, reliable, and expert service
- Be courteous and patient
- Avoid arguments

Provide safe, reliable, and expert service. This means:

- Depart on time and try to stay on schedule, but never at the expense of passenger safety.
- Drive safely and smoothly at all times.
- Adjust temperature controls for the comfort of passengers whenever possible.
- Supply accurate information about the service.
- Answer questions politely and completely.
- When giving directions or other information – speak clearly, calmly, and with respect.

Be courteous and patient.

- Use respectful language and tone of voice.
- Do not swear or call names. Avoid sarcasm.
- Never shout at or strike a passenger.
- Keep passengers informed.
- Never embarrass your passengers.

Avoid arguments.

- Remain polite.
- Avoid lengthy discussions about policy or your actions.
- Remember that it takes two people to have an argument.

## **PASSENGER RELATIONS AND DRIVER SENSITIVITY**

4/2020

## **DRIVER'S PERSONAL APPEARANCE AND HYGIENE**

Many riders judge a transit system as much by the driver's personal appearance as they do by the quality of the transportation service. As a driver, your personal appearance and grooming should present a professional image. Your wearing apparel should be clean and in order. Some wrinkles or dust may be inevitable, but you should not look like you slept in your clothes! You should also take reasonable efforts to keep your hair combed and avoid unpleasant body odors or bad breath. Of course, passengers that do not practice good grooming and personal hygiene still expect you to do it because they consider you to be a professional.

## **DRIVER ATTITUDE AND DEMEANOR**

Your attitude may very well determine just how pleasant, or unpleasant, a passenger's ride is going to be. Even though some passengers do not always show it, a nice smile and a pleasant "hello" or other friendly greeting is appreciated. It is possible that passengers have had a terrible day until they board your vehicle and you have the opportunity to be their first pleasant experience of the day.

## **PASSENGER COMPLAINTS**

While some passenger complaints are justified, it is important that ALL complaints be handled in a professional manner. Even if you, as a driver, cannot do anything about the complaints, it is imperative that you always remain courteous and polite. Even if you are right, you will not solve anything by arguing with a passenger. If you let passenger remarks escalate into a confrontation, you could end up having an accident down the road due to the stress created by the confrontation. Human nature may prompt you to verbally retaliate to rude remarks and comments, but COMMON SENSE should dictate that safe driving is more important than getting in the last word.

## **COLLECTING FARES**

If you collect fares from your passengers, you will need to practice some special passenger handling techniques. First and most important is that you be fully aware of your company's policy regarding fare collection. If a passenger has a problem finding the fare (or a pass), ask him/her to step aside and look for the fare so that other passengers are not stranded outside in the heat, cold, rain, snow, or wind. Patience in fare collection is important because some passengers have major problems remembering where they put their money or passes. If you become impatient with passengers, they usually become frustrated or angry. Such a situation can quickly lead to embarrassment for you and them. Remember that patience demonstrates PROFESSIONALISM.

4/2020

If a passenger cannot find money or a pass after a reasonable period of time, you should know what your company's policy is in such matters. Usually, giving the passenger the benefit of the doubt, the first time is acceptable. Some passengers will even pay twice on the next trip when giving the benefit of the doubt. If, on the other hand, you suspect that someone is truly trying to steal a ride and cheat the system, the company policy should be clearly stated so that passengers know what options they have to alleviate the situation.

### **EATING OR DRINKING IN THE VEHICLE**

For safety reasons, neither you nor your passengers should eat or drink on the vehicle when it is in service. In some states, consumption of food or drink on transit vehicles is against the law. Even when it is not against the law, consumption of food or drink could be dangerous. If any food or drink gets spilled in the vehicle, it could cause a passenger (or you) to slip and fall. If a passenger attempts to bring food or drink aboard for consumption on your vehicle, you have three options that can assist you in solving the problem. They are:

- Ask them to cover the drinks and wrap the food so it can be consumed after they disembark.
- Ask them to throw the food away or disembark, consume the food and drink, and then wait for the next run.
- Deny services and refuse to board them while they have food or drink.

### **USE OF TOBACCO PRODUCTS ON THE VEHICLE**

Smoking and the use of smokeless tobacco products are not permitted. Smoking presents a health hazard to passengers with respiratory problems and creates an unnecessary fire hazard. Improper use of smokeless tobacco products can result in slips and falls as well as unsanitary vehicles.

## Emergency Operations Plan

Transportation needs are defined as a vital element in Sampson County's Emergency Plan: Updated July, 2009 and specifically outlined in Section IV-subpart D. Further, in Section VI A of the Plan, it states; "Each agency of local government is responsible for the development of standard operating procedures, checklists, or guidelines to support the operations outlined in the plan."

In the Assignment of Responsibilities portion of the Plan, Section III. Assignment of Individual Responsibilities, Paragraph P. Aging Director/Transportation Officer/Volunteer Resource Coordinator outlines specific responsibilities related to transportation which are:

1. Develop and maintain operating procedures for the transportation of county residents during emergencies.
2. Coordinate all transportation resources.
3. Provide current resource list to Emergency Services Office
4. Make buses, vans and drivers available for evacuation/transportation operations.
5. Provide for refueling vehicles
6. Develop memoranda of understanding for use of vehicles and personnel.
7. Develop procedures to support unmet needs operations, when required.
8. Coordinate requests for vehicles and drivers needed for evacuation.
9. Coordinate staging areas with law enforcement and other agencies.
10. Obtain additional resources as needed from adjacent jurisdictions.
11. Maintain a current 24 hour emergency contact list as the Emergency Management Office.
12. Serve as a coordinator for emergency volunteers.

Additionally, the Direction and Control Section of the Emergency Operations Plan identifies the personnel, facilities, and resources which will be utilized in the coordinated response activities.

### Section II C. Staffing

- 1b. Support Group: The Support Group under the direction of the Policy/Administration Group is responsible for on-scene operations including Allocation of resources. The Support Group may consist of the following Sub-groups (Emergency Support Functions); however, staffing may be adjusted by deletion or addition of private, volunteer, or governmental agencies in response to the specific emergency:
  - (7) Emergency Transportation  
Group Leader: Transportation Officer  
Sheriff's Department  
School Superintendents  
Emergency Medical Services

**Issues Specific to SAT and staff:**

1. Participation in emergency operations is mandatory.
2. SAT will be represented at Control Group meetings by the Transportation Director the Director will communicate to the Transportation Supervisor the likelihood of an impending event becoming a state of emergency.
3. The Transportation Supervisor will notify SAT staff of the impending event and any information regarding a declaration of emergency. Drivers will be identified to transport citizens to shelters.
4. Once the state of emergency has been declared and shelter openings announced, drivers will ensure that their vehicles are fueled and proceed to a designated shelter. Each vehicle dispatched to a shelter will have a second person on board to provide passenger assistance. With the exception of the Clinton shelter, each shelter will have a SAT vehicle on-site. The vehicle designated for the Clinton shelter along with a spare driver and vehicle will be dispatched from Emergency Management.
5. The Transportation Director and Supervisor will report to the EMS center once the declaration of emergency has been issued. The Supervisor will report to communications so that incoming calls from citizens can be handled. Once information from a citizen has been recorded, the appropriate driver will be contacted and given directions for citizen pickup.
6. SAT drivers will be ordered off the road when conditions have deteriorated to the point vehicular travel is unsafe. Drivers will be notified before Highway Patrol is closing roads in time enough to get home. If drivers are home when the emergency passes, they will automatically come back on-duty when needed.

**Emergency Operations Procedures – Sampson Area Transportation**  
*Sampson Area Transportation will follow all Sampson County Policies and Procedures as set forth by Sampson County’s Emergency Operations Plan, Emergency Action Plan, and Evacuation Procedures. The following policies and procedures are specifically designed for the Transportation Building and the employees that occupy it.*

A. Evacuation Procedures

1. Planning and preparation
  - a. All exits are labeled and operable.
  - b. Evacuation route diagrams have been approved by the Safety Committee and are posted in reception area and in the hallway.
  - c. All employees/occupants will know:
    1. They should not block exits, hoses, extinguishers, corridors or stairs by storage or rearrangement of furniture or equipment. Good housekeeping is everyone’s responsibility.
    2. At least two exits from the building
    3. Be familiar with the evacuation routes diagrams.
    4. If notified to evacuate, do so in a calm and orderly fashion:
      - a. Don’t run
      - b. Keep conversation level down
      - c. Take your valuable and outer garments
      - d. Close all doors behind you
      - e. Assist others in need of assistance.
  - d. All evacuation wardens have been trained in their specific duties and all building occupants have been instructed in what to do in case of an emergency evacuation.
2. When it becomes necessary to evacuate the Transportation Building, or a portion of the building, the following procedures will be utilized:
  - a. In grave emergencies such as a fire, bomb threat, etc., a total and immediate evacuation should occur.
    1. There are evacuation diagrams posted on the wall of the reception area and in the hallway.
    2. All employees should meet outside the fence in the grassy area at the DSS building (in front of the Veterans/Board of Elections office).
    3. Shelters will be open for severe weather such as tornadoes or high winds.
3. Accounting for employees after evacuation - Wardens

- a. The evacuation wardens are the Transportation Supervisor and in his/her absence; the Transportation Office Manager. In the event of an incident they will alert all employees to evacuate through the safest exit possible.
- b. The wardens will need to have a list of employees to check off once outside. He/she will need to also have their mobile radio with them to contact drivers who may be out on the road.
- c. Evacuation Wardens will be properly trained in the building's layout and the various escape routes for the workplace.
- d. Before leaving the building, the warden(s) will check all rooms and other enclosed spaces in their work area for employees who may be trapped, or otherwise unable to evacuate. Be sure to check all conference rooms, bathrooms, storage rooms etc. **Close all Doors.** Closing all doors will help keep track of what areas have been checked as well as slow the spread of the fire, toxic gas, etc. Do not lock the doors.
- e. After a complete and accurate search has been made of the areas exit the building and account for each of the employees.
- f. Wait with the relocated personnel in the safe area until instructed further from either the Fire Department, Department Head or County Administration.

B. Notification of Fire and Emergencies In case of fire or emergency;

1. Warden will call 911 (County Wide Emergency Number) or assign someone to call.
2. Contact the Department Head immediately.

C. Training

1. Safety Committee will insure verbal training of Department Heads for disasters. The Department Head shall be responsible for training and designing a sufficient number of employees to assist in safe and orderly evacuation of employees. (One (1) warden appointed for each twenty (20) employees)
2. All employees will be advised of their responsibilities by the Department Head under the Emergency Action Plan at the following times:
  - a. When the plan is developed.
  - b. When the employee's responsibilities change.
  - c. Whenever the plan changes.
  - d. Safety Committee will make sure new Department Head will be orientated.



4/2020

3. Training will be provided to all employees on the Emergency Action Plan upon hire and yearly thereafter.
4. Unannounced Fire Drills will be done yearly by Department Head, Fire Marshall or members of the County Safety Committee to monitor the procedure.

#### D. Emergencies

##### 1. Hurricanes, Tornadoes

One of the greatest dangers in windstorms like tornadoes is flying debris and structural collapse. In the event of a tornado, all employees should go to an interior portion of the building, avoiding all windows, doors and exterior walls, get as close to the floor as possible, next to an interior wall, and protect the back of the head. Employees should remain in this position until after the storm has passed. Following the storm employees should carefully exit the building taking care to avoid electrical lines down or any other hazards caused by the storm and remain in a safe area until they are advised to move.

If time permits, Transportation employees should lock up the office and relocate to the Aging Office because it is a more secure building.

##### 2. Bomb Threat

If there has been advanced organized planning when a bomb threat has been received, minimized confusion will be the reaction. Without advanced planning and training the results could be mass panic. There are two reasonable explanations for a call reporting a bomb in an establishment:

- a. The caller has definite knowledge or believes that an explosive or incendiary device has been placed, and he wants to minimize personal injury or property damage.
- b. The caller wants to create an atmosphere of anxiety and panic which will in turn possibly result in a disruption of the normal activities at the establishment where the device is purportedly located.

The Transportation Operations Supervisor or Office Manager will contact the Director immediately. The Department Head will determine if there will be an evacuation by the department.

Training for Employees for Bomb Threats

1. The universal County signal for a bomb threat is a “Code Green”. All personnel should be trained to realize what these words will mean.
2. A chain of command should be reported following a call:
  - a. Employee answering the phone should notify the Transportation Supervisor or Office Manager as soon as possible. (i.e. giving a near-by employee a “Code Green” warning by verbal or written message)
  - b. Use a “runner” for all communications. Do not use phones, walkie talkies, mobile radios, etc. for communications.
  - c. The Transportations Supervisor will notify the Department Head as soon as possible. The Department Head will notify the County Manager and start deciding on the options his department needs to take.
  - d. If evacuation occurs, do not take anything with you. Leave all electrical items as they are.
  - e. The County Manager will notify the Emergency Services Director and the Sheriff.
  - f. The Emergency Services Director and the Sheriff will be responsible for the physical search of the building and the disposal of an explosive. They will also determine if fire and rescue personnel will be needed.
3. Keep the caller on the line as long as possible:
  - a. Ask the caller to repeat the message. Record every word spoken by the person on the Bomb Threat Checklist. A Bomb Threat Checklist should be kept beside every phone used for incoming calls.
  - b. Ask the caller for the location of the bomb or the time of possible detonation.
  - c. Inform the caller that the building is occupied, and the detonation of a bomb could result in death or serious injury to many innocent people. The bomber may be willing to give more specific information on the location of the bomb, especially if he/she wishes to avoid injuries or deaths.
  - d. Pay particular attention to peculiar background noises such as motors running, background music, and other noises which may give a clue as to the location of the caller.
  - e. Listen closely to the caller’s voice (male or female), voice quality (calm, excited), accents and speech impediments.

Immediately after the caller hangs up, if the threat has not already been reported, report the information to the Transportation Supervisor or Office Manager. The person who takes the call should remain available for questions for the proper authorities.

- f. The Department Head will be responsible for contacting the County Manager, etc., initiating evacuation, if warranted; initiating internal security procedures; and recalling employees.

### 3. Fire Prevention Plan

#### a. Potential Fire Hazards

- 1. Smoking in the workplace – No Smoking is allowed in or on the Transportation premises
- 2. Coffee Pots, Microwaves, and other such devices – All should be kept clean and must be turned off when not in use.
- 3. Poor Housekeeping – All combustible scraps, debris and waste must be stored safely in suitable containers and removed from work areas promptly.
- 4. Electrical Hazards – All electrical equipment must be properly grounded. All electrical utilities must be adequate and not overloaded. All exposed wiring or cords will be repaired or replaced promptly.

#### b. Responsibility for Fire Prevention

All employees are responsible for eliminating fire hazards and reporting such hazards to their Supervisors. The Department Head is responsible for ensuring compliance with this plan and maintenance of the fire prevention equipment.

#### c. Fire Prevention System and Equipment

The Transportation office has adequate and proper fire extinguishers for use. Employees will be trained yearly on how to operate properly. Training will be provided by Emergency Management employees or the local vendor who sells and maintains the Fire Extinguisher equipment. Fire extinguishers will be maintained yearly and when needed by a local vendor.

#### d. In the event of a Fire, employees should follow these steps

- 1. Call 911

4/2020

2. Contact the Transportation Supervisor, Office Manager, or Director.
3. If safe to do so, attempt to extinguish small controllable fires. Smother wastebasket fires.
4. Wardens will give employees instructions. Follow evacuation procedures.

### Bomb Threat Check List

Time and Date Reported \_\_\_\_\_

How Reported \_\_\_\_\_

Exact words of Caller \_\_\_\_\_

\_\_\_\_\_

Questions to Ask:

1. When is the bomb going to explode? \_\_\_\_\_

2. Where is the bomb located? \_\_\_\_\_

3. What kind of bomb is it? \_\_\_\_\_

4. What does it look like? \_\_\_\_\_

5. Why did you place the bomb? \_\_\_\_\_

6. Where are you calling from? \_\_\_\_\_

Description of caller's voice: \_\_\_\_\_

Male \_\_\_\_\_ Female \_\_\_\_\_ Young \_\_\_\_\_ Mid Age \_\_\_\_\_ Older Adult

\_\_\_\_\_

Accent \_\_\_\_\_ Voice Tone \_\_\_\_\_

Background noise \_\_\_\_\_

4/2020

Is voice familiar? \_\_\_\_\_ If so, who did it sound like?

\_\_\_\_\_

Other voice characteristics or unusual notations:

\_\_\_\_\_  
\_\_\_\_\_

Time caller hung up \_\_\_\_\_ Remarks

\_\_\_\_\_  
Name, address, Telephone number of employee taking the call

\_\_\_\_\_  
\_\_\_\_\_

**SAFETY DATA ACQUISITION/ANALYSIS**

## DESCRIPTION OF ELEMENT

Understanding safety data is an important step toward allocating important (and often scarce) resources to implement safety program elements. Safety data relative to transit provider operations can be used to determine safety trends in system operation. The data include information gathered from within the system on safety-related events such as passenger injuries or claims, employee injuries, accidents, incidents, and preventability. Driver reports (sometimes called trip sheets) can be an important source of safety problems, such as dangerous stop locations, problems with vehicle equipment, safety problems with the route, and other issues. The data is useful in a formal hazard identification and resolution process to help identify hazards before they cause accidents. The data may also help improve system performance, not only in respect to safety, but also in overall delivery of service to the riding public. In addition, trend analysis of safety data can help determine the effectiveness of safety initiatives that have been implemented.

- A. One of the most important services the safety unit provides for the transit organization is the collection, maintenance, and distribution of safety data relative to system operation.
  - Includes information gathered from within the system on various operating events relative to safety.
- B. Analysis of this system specific data can be used to determine trends and patterns in system operation.
- C. Used as part of the Hazard Resolution Process, data collection and analysis can be used to identify hazards before they cause accidents.
  - This is done by techniques such as trend analysis and thus become a vital component of efforts to improve system performance, not only in respect to safety but also in overall delivery of service to the riding public.
- D. The responsibilities for providing, receiving, processing and analyzing data should be listed here and can be general or specific, based on the needs of the transit system.

## SYSTEM SAFETY PLAN PURPOSE

4/2020

A System Safety Plan has many beneficial purposes for your employees and passengers. A plan provides:

- A documented approach to accomplishing a system safety program.
- A means of providing safety policies and procedures to drivers, vehicle maintenance, office and facility personnel.
- A way to reduce accidents and injuries through preventative measures.

### **SYSTEM SAFETY OBJECTIVES**

In the transit environment, when properly applied, system safety:

1. Ensures safety is addressed during system planning, design and construction.
2. Provide analysis tools and methodologies to promote safe system operation through the identification of safety hazards and the implementation of technology, procedures, training, and safety devices to resolve these hazards.

### **TRANSIT SYSTEM SAFETY PHILOSOPHY NCDOT Safety Philosophy Statements**

A Safety Philosophy is part of the North Carolina Department of Transportation (NCDOT) mission. North Carolina public transit systems can uphold this mission by acknowledging and implementing the NCDOT safety philosophy statements shown below:

- ❖ All accidents and injuries can be prevented.
- ❖ Management/supervisors are responsible, and will be held accountable, for preventing injuries and occupational illnesses.
- ❖ Occupational safety and health is part of every employee's total job performance.
- ❖ Working safely is a condition of employment.
- ❖ All workplace hazards can be safeguarded.
- ❖ Training employees to work safely is essential and is the responsibility of management/supervision.
- ❖ Preventing personal injuries and accidents is good business.

4/2020

## SAFETY GOALS

- ❖ Instilling a safety attitude and a safe workplace/customer service environment
- ❖ Establishing a commitment to safety
- ❖ Developing and maintaining a comprehensive, structured safety program
- ❖ Developing and maintaining safety standards and procedures
- ❖ Providing formalized safety training
- ❖ Reducing accident and injury rates
- ❖ Selecting equipment that promotes and enhances safety
- ❖ Safeguarding hazards
- ❖ Making necessary changes in the system to uphold safety
- ❖ Increasing employee safety awareness
- ❖ Applying new research and development in safety efforts
- ❖ Meet NCDOT/PTD minimum training standard
- ❖ Establishing and having quarterly safety meetings with all drivers and office staff
- ❖ Maintaining and updating a Safety Informational Board for drivers and office staff

This policy creates a proactive transit safety culture that supports employee safety and safe system operation through motivated compliance with agency rules and procedures and the appropriate use and operation of equipment

Sampson Area Transportation will hold quarterly safety meetings with all staff. The purpose of these meetings will be to inform staff of safety issues, any safety complaints, and as a general informational tool. The Transportation Supervisor (Safety Officer) will serve as the lead agent in this meeting. Additionally, the Transportation Supervisor will report to the Director and Transportation Advisory Board any safety-related issues.



4/2020

**SAMPSON AREA TRANSPORTATION**  
**Quarterly Safety Meeting Report**

Date: \_\_\_\_\_

Address: \_\_\_\_\_

Meeting Chairman: \_\_\_\_\_

*Attendance should be documented.*

Other Persons Present: \_\_\_\_\_

---

---

---

---

---

Formal Presentation (Name of presenter and topic): \_\_\_\_\_

---

---

Other Subjects Discussed: \_\_\_\_\_

---

---

---

---

Reports on Weekly Meetings: \_\_\_\_\_

---

---

---

---

---

Employees' Comments/Suggestions: \_\_\_\_\_

---

---

---

Chairman's Signature \_\_\_\_\_

## **SAMPSON AREA TRANSPORTATION SAFETY RESPONSIBILITIES – SPECIFIC POSITIONS**

### **Supervisors**

Transportation Supervisor and Transportation Office Manager are the key persons in the scheme of loss control because of the close relationship with the employee and intimate knowledge of operating procedures. The Transportation Supervisor acts as Safety Officer for SAT.

Supervisors are charged with the responsibilities of quality and quantity of production within the department, and therefore are responsible for the work conduct of same. Supervisors should be afforded the necessary tools and knowledge to carry out their duties with efficiency and safety.

Supervisors should:

- Have a thorough knowledge of the Sampson Area Transportation Safety Policy.
- Provide instruction and training to workers so that they conduct their job in a safe manner.
- Make daily inspections of the department to ensure that no unsafe conditions or unsafe practices exist.
- Initiate immediate corrective action where unsafe conditions or practices are found.
- Properly complete accident reports and investigate all accidents to determine what must be done to prevent recurrence of a similar accident.
- Be familiar with procedures that must be followed in case of an emergency.
- Enforce safety rules and regulations of the organization.
- Set a good example for safety by working in a safe manner and encouraging others to do so.

### **Employees**

To assist the employee in developing keen “safety awareness” the following responsibilities are assigned:

- To abide by the safety rules and regulations of the organization.
- To regard the safety of fellow workers at all times.
- To report any unsafe condition to the Safety Officer.
- To contribute ideas and suggestions for improving the safety of conditions or procedures to the Safety Officer.
- To use individual knowledge and influence to prevent accidents.
- To attend safety training sessions.
- To report accidents and injuries immediately.

## **RELATIONSHIP BETWEEN SYSTEM SAFETY AND SYSTEM OPERATIONS**

### Management of Unsafe Conditions

- Eliminate hazards by removing the machines, tool, method, material, or structure that is causing the hazard through appropriate means. Contacting officials of OSHA, or EPA, may be necessary for proper disposal.
- Control the hazard by enclosing or guarding the point of hazard at the source.
- Train personnel on steps to take when confronted by a hazardous condition and provide procedures to safely avoid the hazard.
- Provide and ensure the use of personal protective equipment to shield employees from the hazard.

At no time should protective devices or safety practices be set aside to get the job done faster and cheaper. The price paid for such indiscretion may greatly exceed the anticipated gain from the action.

### **Transportation Supervisor – Safety Officer**

The Transportation Supervisor is the individual who is directly responsible for implementing the System Safety Program. It is the basic responsibility of the supervisor to plan and conduct safe operations. **It is also the duty and responsibility of the supervisor to fully orient and instruct all employees in safe practices and procedures.** He or she is expected to be a member of the safety and Accident Review Committee and be in charge of collecting and disseminating safety data. The Safety Officer is specifically charged with the following responsibilities for the System Safety Program:

- Have full knowledge of all standard and emergency operating procedures;
- Perform safety audits of operations;
- Ensure that employees make safety a primary concern when on the job;
- Actively investigate all incidents and accidents;
- Prohibit unsafe conduct and conditions;
- Conduct safety meetings which are a vital part of safety atmosphere;
- Listen and act upon any safety concerns raised by employees; and
- Report to management any safety concerns or possible hazards.

### **Employees**

It is the responsibility of each employee of the Transit System to abide by all rules and regulations and to comply with all laws pertaining to safety and health in the workplace. **It is the responsibility of each supervisor of the Transit System to provide explicit instructional and procedural safety training for each employee.** Safety becomes a shared responsibility between management and the employee and working safely is a condition of employment.

4/2020

Employees are required to identify, report and correct unsafe conduct and conditions. Under (OSHA) 29 CFR part 1910; employees have the right to report any unsafe working conditions without being subjected to any retaliation whatsoever. Each employee must be an integral part of the SYSTEM SAFETY PROGRAM.

Safety meetings involve employees in the Safety Program and are very useful ways of training employees. Safety meetings and committees are used to present information, discuss problems and new ideas and discuss recent accidents and injuries. Safety meetings and commitment shall include, but shall not be limited to, the following:

1. Wearing the prescribed uniform and safety shoes as required.
2. Reporting promptly and in writing, to your supervisor, all injuries and illnesses associated with the jobs.
3. Reporting, no matter how slight, all fires, accidental damage to property, hazardous material spills and other emergency occurrences to your supervisor.
4. Disposing of all hazardous materials in an acceptable and lawful manner.
5. Working under the influence of alcohol or illegal drugs is specifically forbidden. Use of prescription drugs, which may affect your alertness or work abilities, shall be reported to your supervisor (49 CFR parts 40, 653, and 654).
6. Taking care not to abuse tools and equipment, so these items will be in usable condition for as long as possible, as well as ensure they are in the best possible condition while being used.

4/2020

## **COMPUTER DATA ENTRY SAFETY PROCEDURES**

The following actions can help to reduce muscle fatigue and tension while enabling maximum performance:

- Adjust seat height and backrest angle to fit the user in a seated position. Adjust footrest for proper height and angle.
- Screens should have adjustable height and tilt; screens should be arranged so that they are never higher than eye level for the users.
- Position documents roughly perpendicular to the line of sight using a document holder.
- Adjust keyboard to fit the operator. Keyboards should be detached in order to allow for positioning.
- Always use anti-glare screens.
- Users should maintain correct hand and wrist posture when entering data. Repetitive motion illness develops over an extended period of time. Learn work habits that reduce risks and be aware of early symptoms of the illness.
- A footstool may be used as a footrest for petite operators.
- Frequent work breaks should be taken after continuous work periods requiring more than five hours of screen viewing time, constant rapid muscular action, fixed positions on jobs that are highly repetitive.

## **OFFICE SAFETY PROCEDURES**

The following suggestions can help to make your office environment a safe one:

- Don't place computers, calculators, or adding machines too close to the edge of the desk or other surfaces.
- Machines that tend to move during operation should be fastened down or secured with rubber feet or mats.
- Electric office machines should be equipped with three-prong electrical cords.
- Avoid stretching cords between desks or across aisles.
- Never store combustible office materials in HVAC closets or electrical rooms.
- Do not permit floor coverings to become tripping hazards.
- Keep floors clean. Clean up all spills on floors immediately. Pick up papers, pencils, clips and any objects that will cause tripping hazards.

103

4/2020

- Place wastebaskets where they will not present a tripping hazard.
- Never stack anything so high as to obstruct vision. Make sure that stacks are not within 18 inches of ceiling sprinkler heads.
- Electrical cords and phone lines should be secured to prevent tripping hazards.
- Know where building emergency exits are located. These areas should not be used for storage.
- File drawers should be closed immediately after use so no one can run into or trip over them. Only one drawer should be opened at a time to prevent the cabinet from falling forward.
- Entryway steps should be marked with contrasting colors.
- Be sure all electrical equipment is grounded and the cord is in good condition. If a machine is shocking or smoking, unplug it and immediately report the defect.
- The use of portable electric, gas or other heating devices is prohibited.
- Be cautious as you approach doors that open in your direction.
- Slow your pace when approaching a blind corner in a hallway.
- Do not run in corridors.
- Office tables, chairs, and desks must be maintained in good condition and remain free from sharp corners, projecting edges wobbly legs, etc.
- Never use chairs, desks or other furniture as a makeshift ladder. Use a stepladder for climbing but do not use the top two steps.
- Do not lean forward in a roller chair to pick up an object.
- Keep the blades of paper cutters closed when not in use.
- Never run power cords under carpet or chair pads.

### **SAFE LIFTING PROCEDURES**

Preserve your back health by using the following lifting strategies:

- Before lifting a load, think of other means of moving it using a device that can help you to pull, push or roll the load.
- Have firm footing and make sure the standing surface that you are on is not slippery.
- Determine the best way to hold the load using handles, gripping areas or special lifting tools. Get a firm grip on the load.
- Keep your back straight by tucking your chin in.

4/2020

- Tighten your stomach muscles and lift with your legs.
- Lift the load slowly.
- Hold the load as close to the body as possible; be sure you position the load close to the body before lifting.
- Do not twist during your lift or when moving the load. Turn with your feet rather than your back.
- Set the load down gently, using your legs and keeping your back as straight as possible.
- Be sure your fingers are out of the way when putting the load down and when moving the load through tight spaces.
- Ask for help if you need it and use lifting tools and devices whenever they are available.

4/2020

## **HAZARD IDENTIFICATION AND ANALYSIS METHODOLOGY**

Sampson Area Transportation will follow the policies and procedures set forth in the Sampson County Employee Safety Manual in reference to Hazard Identification; reference the Safety and Health Program Section. SAT will work closely with the Sampson County Safety Officer for this purpose.

### **Bloodborne Pathogens/Infection Control**

SAT will abide by the Sampson County Employee Safety Manual section that deals with Bloodborne Pathogens. In case of an emergency before or after normal business hours where a bloodborne pathogen kit is used, the driver will place all materials in a self-sealing trashcan marked “Bio-Hazard” that is kept in the outside barn and inform a supervisor. The supervisor will take the contents to the Sampson County Health Department as soon as it opens and dispose of it in their biohazard approved container. Training for the handling of blood-borne pathogens will be done yearly for all transportation staff.

## **SAFETY TERMS AND DEFINITIONS**

### **ACCIDENT**

An unforeseen event or occurrence that results in death, injury, or property damage – *System Safety Program Training Participant’s Guide*

An incident involving a moving vehicle. Includes collisions with another vehicle, object or person (except suicides) and derailment/left roadway. This also includes Personal Casualties incidents on the vehicle and entering/exiting the vehicle. – *Federal Transit Administration (FTA) - Safety Management Information Statistics (1999 SAMIS Annual Report)(2000)* <http://transit-safety.volpe.dot.gov/publications/default.asp>

Occurrence in a sequence of events that produces unintended injury, death or property damage. Accident refers to the event, not the result of the event. – *National Safety Council (NSC), National Safety Council Statistics Glossary [online](Research & Statistics, 25 July 2000[15 March 2002]);* <http://www.nsc.org/lrs/glossary.htm>

### **HAZARD**

Any real or potential condition that can cause injury, death or damage to or loss of equipment or property  
- theoretical condition

106



4/2020

- identified before an incident actually occurs
- *FTA - Implementation Guidelines for State Safety Oversight of Rail Fixed Guideway Systems (1996)* <http://transit-safety.volpe.dot.gov/publications/default.asp>

#### **INCIDENT**

An unforeseen event or occurrence which does not necessarily result in death, injury, contact or property damage - *FTA - Implementation Guidelines for State Safety Oversight of Rail Fixed Guideway Systems (1996)* <http://transit-safety.volpe.dot.gov/publications/default.asp>

Collisions, personal casualties, derailments/left roadway, fires, and property damage greater than \$1,000 associated with transit agency revenue vehicles and all transit facilities - *FTA - Safety Management Information Statistics (1993 SAMIS Annual Report) (1995)* <http://transit-safety.volpe.dot.gov/publications/default.asp>

#### **RISK**

Probability of an accident multiplied by the consequences of an accident (often in \$) - *System Safety Program Training Participant's Guide*

Exposure or probable likelihood of a hazard (accident, crisis, emergency or disaster) occurring at a system. Risk is measured in terms of impact and vulnerability - *FTA - Critical Incident Management Guidelines (1998)* <http://transit-safety.volpe.dot.gov/publications/default.asp>

#### **SAFETY**

Freedom from those conditions that can cause death, injury, occupational illness, damage to or loss of equipment or property, or damage to the environment – *Military Standard 882-D*

Freedom from danger - *FTA - Implementation Guidelines for State Safety Oversight of Rail Fixed Guideway Systems (1996)* <http://transit-safety.volpe.dot.gov/publications/default.asp>

#### **SECURITY**

Precautions taken to guard against crime, attack, sabotage, espionage, etc. – *The Learning Network, Inc., A-Z Dictionary [online](2000-2002[15 March 2002])* <http://www.infoplease.com>

Freedom from intentional danger - *FTA - Implementation Guidelines for State Safety Oversight of Rail Fixed Guideway Systems (1996)* <http://transit-safety.volpe.dot.gov/publications/default.asp>

4/2020

#### **SYSTEM SECURITY**

All activities associated with providing security to transit patrons and securing transit

property including supervision and clerical support. Includes patrolling revenue vehicles and passenger facilities during revenue operations; patrolling and controlling access to yards, buildings and structures; monitoring security devices; and, reporting security breaches – *US Department of Transportation, Bureau of Transportation Statistics, Transportation Expressions [online](1996[15 March 2002])* <http://www.bts.gov/btsprod/expr/expsearch.html>

## **SAMPSON AREA TRANSPORTATION**

### **Driver/Employee Training**

### **Accident and Incident Reporting Policy**

#### **Policy Description:**

It is the responsibility of every employee of Sampson Area Transportation (SAT) to report any and all accidents/incidents immediately to the Transportation Supervisor or Office Manager. Drivers will provide accurate, detailed reports of all accidents/incidents using the system's incident reporting form. Drivers must complete an Incident Report Form if anything unusual occurs during their route. Incidents include accidents, injuries, property damage and near misses. Examples of incidents that should be recorded include but not limited to:

- Passengers or driver falls with or without injuries
- Passenger injuries (when injury occurs, fill out a passenger I.D. form in addition to the incident report)
- Difficulties with passengers that result in damage to people and/or property (example: passenger actions such as throwing objects, etc.).

108

4/2020

- Equipment failures which cause delays; running over objects which could cause residual damages to tires or undercarriage; and any unusual occurrences or events that caused or could cause future problems in the safe and reliable operation of the vehicle.
- Accidents/Incidents requiring passenger medical treatment
- Accidents/Incidents which result in dollar value vehicle damage of over five hundred dollars (\$500.00) – written notice of such an accident must be given to the NCDOT PTD within 30 days of the accident/incident.
- If involved in an accident, drivers must remain at the scene of the accident to make a report to law enforcement officers.

FATAL ACCIDENTS: If a fatal accident occurs, Sampson Area Transportation must provide written notice about the accident to NC DOT PTD by the close of business day during which the accident occurred. In addition, a report indicating the death of a person must be given to NC DOT PTD within 24 hours of an accident victim's death. A written copy of local or state accident investigation reports of fatal accidents should be submitted to NC DOT PTD within 30 days after the accidents.

## Sampson Area Transportation Incident Report Form

Complete form according to the Accident/Incident Reporting  
Policy

Please supply the following information about the incident that you are reporting:

Bodily Injury \_\_\_\_\_ Property Damage \_\_\_\_\_  
Employee: \_\_\_\_\_ Supervisor: \_\_\_\_\_  
Name of injured client: \_\_\_\_\_  
\_\_\_\_\_  
Name of injured employee: \_\_\_\_\_  
Employee Title: \_\_\_\_\_ Age \_\_\_\_\_  
\_\_\_\_\_

4/2020

Date of Incident: \_\_\_\_\_ Time: \_\_\_\_\_ : \_\_\_\_\_ AM or PM

Time incident was reported and to whom: \_\_\_\_\_

Description of incident/accident: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Possible preventable action: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Corrective measures taken: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Training given to employee after the incident/accident: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Employee Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Supervisor Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## **Accident Response and Reporting Policy Employee/Visitor injured on SAT premises or vehicles**

### **Purpose**

To establish guidelines for responding to an accident/incident, and to ensure accurate and consistent reporting of information concerning the accident/incident.

### **Policy**

In case of an injury, Supervisors should:

4/2020

- Determine if the severity of the injury necessitates calling an ambulance. When in doubt, call an ambulance.
- If an ambulance is needed, have someone call 911 (someone who can provide clear directions).
- Post someone at the nearest entrance of the facility to direct EMS personnel to the scene.
- Sampson Area Transportation Employee Injury Report or Visitor Injury Report form must be completed as soon as possible.
- Client accident reports are required and must be forwarded to the Administrative Officer on all client injuries on an agency premises or vehicles.

## **INCIDENT INVESTIGATION POLICY AND PROCEDURES**

An incident is an event that could have, or did, result in personal injury or damage to State or private property. Investigations of these incidents are important for the prevention of future accidents and tracking the quality of our safety program. Incident investigations will not be a faultfinding process.

The Transportation Supervisor is responsible for ensuring that the corrective actions have been taken and documentation is consistent. As always, the Director and the County Manager will have final say over any disciplinary action.

### **DOCUMENTATION:**

- Employees will report the incident to the Transportation Supervisor or Office Manager immediately.
- Employees will complete the Employee's Statement and shall return it to their appropriate supervisor within one day of the incident. The supervisor shall forward a copy within two days of the incident to the appropriate department.

4/2020

- If an injury has resulted, the immediate supervisor will complete the North Carolina Industrial Commission and send within one day from the date of the knowledge of the injury the original and one copy to the appropriate workman compensation department and one copy to each of the following:
  - The injured employee
  - Contractors appropriate department and/or Sampson Area Transportation
  - (NC Industrial Commission required within five days of the date of the knowledge of the injury).

### **ACCIDENT AND INJURY RESPONSE PROCEDURES**

- Take appropriate action to prevent additional injuries and/or accidents.
- Attend to injured person(s) accordance with first aid training. The safe working practice for First Aid is an excellent review on how to handle a situation involving personal injury.
- When an injured employee requires medical treatment, the immediate supervisor is responsible for seeing that prompt medical treatment is provided. The welfare of the injured employee is primary; do not economize; use an ambulance if necessary. A supervisor will accompany the injured employee to the medical facility.
- For motor vehicle accidents, call the Police and the EMS and fire department when needed.
- Be courteous, answer police questions, and give identifying information to other parties involved. Do not assume responsibility.
- Complete the information in the Motor Vehicle Accident Reporting Kit provided by Sampson Area Transportation.
- Employees are required to report all incidents/accident to Transportation Supervisor immediately.
- Serious incidents shall be reported immediately. If there is a fatality, an immediate report to the NCDOT and FTA is also required.
- If a serious injury or fatality occurs, the highest-level supervisor available (Director, Finance Director, Assistant County Manager, or County Manager) should meet with family members to explain the circumstances and to provide assistance.

### **SAMPSON AREA TRANSPORTATION DISPATCHER EMERGENCY NOTIFICATION SHEET**

To be filled out when receiving an emergency call.

Incident

4/2020

Date: \_\_\_\_\_ Time: \_\_\_\_\_ Vehicle #: \_\_\_\_\_

Driver Name: \_\_\_\_\_

Location: \_\_\_\_\_

Type of Emergency:

- |   |   |
|---|---|
| <input type="checkbox"/> Passenger illness/injury | <input type="checkbox"/> Mechanical breakdown |
| <input type="checkbox"/> Passenger incident       | <input type="checkbox"/> Flat tire            |
| <input type="checkbox"/> Driver illness/injury    | <input type="checkbox"/> Accident             |
| <input type="checkbox"/> Other _____              |   |

Response

Are EMS services required?  Yes  No

If YES, please check all that apply:

<input type="checkbox"/> EMT	<input type="checkbox"/> Fire
<input type="checkbox"/> Ambulance	<input type="checkbox"/> Rescue
<input type="checkbox"/> Other _____	

Time Notified: \_\_\_\_\_

Other services dispatched:

<input type="checkbox"/> Tow truck	<input type="checkbox"/> Road service
<input type="checkbox"/> Transit vehicle	<input type="checkbox"/> Transit driver
<input type="checkbox"/> Other _____	

Time Notified: \_\_\_\_\_

Comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

### SAMPLE POST ACCIDENT QUESTIONS

**General**

- Driver name
- Is driver injured?
- Was there a passenger on board?
- Is passenger injured?
- Number of vehicles involved
- Exact location of accident
- Date and time of accident
- Date and time reported to company
- Weather and road conditions
- General description of accident

4/2020

**NCDOT recordable information** *[Not all NCDOT recordable information questions are listed here]*

- Is there a fatality involved?
- Were any vehicles towed from the scene?
- Was any person at the scene transported due to injuries?
- Did driver receive a ticket?
- Is there a Post Accident Drug/Alcohol Test required?

**Property damage** (other than vehicles)

- What was damaged?
- Who owns the property (Name, address, and phone number)?
- Location of the property damage
- Is it causing loss of business (i.e. power outage, etc.)?

**Law Enforcement**

Name, badge number and department of investigating officer

**Vehicle information for each vehicle involved**

- Name, address and phone of driver and each passenger in the vehicle
- Were any people in this vehicle injured?
- Vehicle year, make, model and license
- Type of damage
- Insurance company name, address and phone
- Was the driver ticketed?

**Injury information for each person involved**

- Name
- Type of injury
- Where were they taken (i.e. Hospital)?
- Address and phone of location taken

**Witness information**

Name, address, phone, cell phone, Email address or any other information

## **Accident/Incident Report Form**

Date of incident: \_\_\_\_\_ Time: \_\_\_\_\_ AM/PM

Name of injured person: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

114



4/2020

Phone Number(s): \_\_\_\_\_

Date of birth: \_\_\_\_\_ Male \_\_\_\_\_ Female \_\_\_\_\_

Who was injured person?(circle one) Passenger System Employee

Type of injury: \_\_\_\_\_

Details of incident: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Injury requires physician/hospital visit? Yes \_\_\_ No \_\_\_

Name of physician/hospital: \_\_\_\_\_

Address: \_\_\_\_\_

Physician/hospital phone number: \_\_\_\_\_

\_\_\_\_\_

Signature of injured party

\_\_\_\_\_

Date

\*No medical attention was desired and/or required.

Signature of injured party

\_\_\_\_\_

Date

### SAMPSON AREA TRANSPORTATION EMPLOYEE'S STATEMENT OF INCIDENT

Employee Name: \_\_\_\_\_ Employee SS# \_\_\_\_\_

Employee Title: \_\_\_\_\_

Date of Incident: \_\_\_\_\_ Date Incident Reported: \_\_\_\_\_

\_\_\_\_\_

Description of Incident (What happened?) \_\_\_\_\_

\_\_\_\_\_

4/2020

---

---

---

Incident Witnesses:  Yes  No      If checked yes, list name(s) & telephone number(s) on back.

Cause of Incident (What caused it to happen?): \_\_\_\_\_

---

---

---

How could this incident have been prevented? \_\_\_\_\_

---

---

---

I certify that I have read the above information and that it is a true, accurate, and factual statement. I further certify that if I am the injured party that my injury/illness arose out of and in the course of my employment with Sampson Area Transportation (I have read the above or it has been reviewed and explained to me.)

\_\_\_\_\_  
Employee's Signature  
(only)

\_\_\_\_\_  
Print Witness Name (For statement and signature)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Witness Signature

**SAMPSON AREA TRANSPORTATION  
EMPLOYEE'S REVIEW OF ON-THE-JOB ACCIDENT/INCIDENT**

Name of Employee: \_\_\_\_\_ Date: \_\_\_\_\_

Accident/Incident: \_\_\_\_\_

Location of Accident: \_\_\_\_\_

Time of Accident: \_\_\_\_\_

Supervisor Name: \_\_\_\_\_

4/2020

Date of Review: \_\_\_\_\_

1. Describe the accident/incident from your perspective:

---

---

---

---

2. Describe what you were doing just prior to the accident/incident:

---

---

---

---

3. Describe how the accident/incident occurred:

---

---

---

---

4. Do you think this accident/incident could have been prevented? If so, how? If not, why? \_\_\_\_\_

---

---

---

---

Signature \_\_\_\_\_ Date \_\_\_\_\_

## **SAMPSON AREA TRANSPORTATION BACKING ACCIDENT INFORMATION**

Yes  No Were there any passengers in your vehicle or employees in the immediate area that could have assisted you at the time of the accident?

List the names of all passengers or employees in the immediate area:

4/2020

Yes  No Before backing your vehicle, did you request assistance from any passengers or employees in the area?

If you answered no for question #3, please explain why:

Driver's Signature

Date

INCIDENT WITNESS LIST

<i>Name</i>	<i>Phone # (Area Code-Local Number)</i>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

**SAMPSON AREA TRANSPORTATION  
PASSENGER FORM**

This form should be filled out by passengers who have witnessed an accident and/or were injured.

Name: \_\_\_\_\_

Mailing Address:  
\_\_\_\_\_  
\_\_\_\_\_

Date of Birth: \_\_\_\_\_

Sex: \_\_\_\_\_ Eye Color: \_\_\_\_\_

Hair Color: \_\_\_\_\_ Height: \_\_\_\_\_ Weight: \_\_\_\_\_

4/2020

Primary Physician: \_\_\_\_\_  
\_\_\_\_\_

Phone Number(s): \_\_\_\_\_ or \_\_\_\_\_

Emergency Contact: \_\_\_\_\_

Emergency Contact Phone Number(s): \_\_\_\_\_ or \_\_\_\_\_

Disability or Medical Condition (if injured):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Current Medications Taken (if injured):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## SAMPSON AREA TRANSPORTATION PASSENGER INJURY FORM

To be completed by Transit Personnel for each passenger injured in an accident.

### GENERAL INFORMATION

Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Home Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Home Phone #: \_\_\_\_\_ Other Phone #: \_\_\_\_\_

Date of Accident: \_\_\_\_\_ Time of Accident: \_\_\_\_\_  
\_\_\_\_\_ AM/PM

Specific Location of Accident: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### INJURY INFORMATION

Type of Injury:

\_\_\_\_ Bruise  
\_\_\_\_ Strain/Sprain

\_\_\_\_ Burns  
\_\_\_\_ Foreign Body

4/2020

Puncture/Cut  
 Fracture  
 Other \_\_\_\_\_

Disoriented  
 Infection

Part of Body Injured:

Head     Mouth     Hand     Leg     Toe  
 Neck     Shoulder     Finger     Knee     Back  
 Eye(s)     Arm     Elbow     Foot     Internal  
 Other \_\_\_\_\_

Medical Treatment

On-Scene Treatment  
 Emergency Room  
 Other \_\_\_\_\_

Transit Personnel: \_\_\_\_\_  
Signature: \_\_\_\_\_  
Date: \_\_\_\_\_

**SAMPSON AREA TRANSPORTATION  
SUPERVISOR REVIEW OF ON-THE-JOB ACCIDENT/INCIDENT**

Name of Employee: \_\_\_\_\_ Date: \_\_\_\_\_

Accident/Incident: \_\_\_\_\_

Supervisor Name: \_\_\_\_\_

Date of Review: \_\_\_\_\_

Unsafe Practices

Operating without authority     Lack of attention  
 Operating at an improper speed     Failure to comply with  
 Making safety devices inoperable    rules/procedures  
 Using defective equipment     Alcohol/Drugs suspected  
 Using equipment improperly     Overexertion

4/2020

\_\_\_\_\_ Failure to use protective equipment properly

\_\_\_\_\_ Other

Unsafe Conditions

\_\_\_\_\_ Defective equipment

\_\_\_\_\_ Weather

\_\_\_\_\_ Congestion

\_\_\_\_\_ Inadequate lighting

\_\_\_\_\_ Inadequate warning

\_\_\_\_\_ Assault/Horseplay

\_\_\_\_\_ Fire/Explosion hazards

\_\_\_\_\_ Other

\_\_\_\_\_ Facility/Area not maintained

Corrective Action Recommended

\_\_\_\_\_ Training (specify type) \_\_\_\_\_

\_\_\_\_\_ Clean/Maintain area

\_\_\_\_\_ Disciplinary action

\_\_\_\_\_ Replace/Repair equipment

\_\_\_\_\_ Additional protective equipment required

\_\_\_\_\_ Develop new safety rules/procedures

\_\_\_\_\_ Other

Supervisor Summary of Incident

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Supervisor's Signature \_\_\_\_\_ Date \_\_\_\_\_

**SAMPSON AREA TRANSPORTATION  
ACCIDENT/INCIDENT REVIEW TO DETERMINE  
PREVENTABILITY**

Sampson Area Transportation  
Transit Agency

\_\_\_\_\_  
Date

Date of Event \_\_\_\_\_ Driver/Worker Name \_\_\_\_\_

Is Driver/Worker participating in Driver Incentive Safety Award Program? – Yes  
No

Type of Report: Claim Report Only Accident/Incident Report # \_\_\_\_\_  
\_\_\_\_\_

4/2020

Qualifying Questions: (use these questions to determine whether this incident is preventable)

- Tell us what happened leading up to the accident/incident; such as what assignment you were on, where were you going, what you were doing just prior to the accident.
- What was the other party(s) doing just prior to the accident (if applicable)?
- Is there anything you could have done to keep this accident/incident from occurring?
- What might you do differently the next time you are faced with this same set of circumstances?
- Did the driver/worker do everything he/she reasonably could have done to prevent this accident?

Accident Determination -      Preventable                      Non-Preventable

Training:

Was employee training performed and documented prior to this incident?                      Yes  
No

If determined preventable, is remedial training planned?      Yes      No      *Document all training*

Name of person completing form: \_\_\_\_\_ Date: \_\_\_\_\_

Director (or designate) Review: \_\_\_\_\_  
Initials

## **INTERVIEW QUESTIONS TO DETERMINE PREVENTABILITY**

### **Intersection Accidents**

- Did our operator approach the intersection at a speed safe for the conditions?
- Was he/she prepared to stop before entering the intersection?
- At a blind corner, did he/she pull out slowly, ready to shift his foot to the brake pedal?
- Did he/she make sure the other driver would stop for a traffic light or stop sign?
- Did he/she obey all traffic signs?

122



4/2020

- Did he/she signal well in advance of his change in direction?
- Did he/she turn from proper lane?
- Was he/she alert for the turns of other vehicles?
- Did he/she avoid overtaking and passing in the intersection?
- Did he/she refrain from jumping the starting signal or riding through the caution light?

IF THE ANSWER TO ANY QUESTIONS IS “NO, OUR OPERATOR WAS NOT DRIVING DEFENSIVELY AND IS AT FAULT.

### **Hit Other in Rear**

- Was our operator maintaining the safe following distance, namely one bus-length for every 10 miles per hour of travel, which should be doubled at night and doubled again in wet weather?
- Was he/she keeping his eyes and mind ahead of the car ahead?
- Did he/she approach the green traffic light cautiously, expecting the driver ahead to stop suddenly on the signal change?
- Did he/she keep from skidding?

### **Backing Accidents**

- Was it necessary to back?
- Did our operator have to park so close to the car ahead as to require backing to leave the parking space?
- Was it necessary to drive into the narrow street, dead-end street, or driveway from which he backed?
- Did he/she back immediately after looking?
- Did he/she use horn while backing?
- Did he/she look to the rear without depending on the rear vision mirror?
- If the distance was long, did he/she stop, get out, and look around occasionally?

### **Pedestrians**

- Did he/she drive through congested section expecting that pedestrians would step in front of his bus?
- Was he/she prepared to stop?
- Did he/she keep as much clearance between his vehicle and parked cars as safety permitted?
- Did our operator refrain from passing vehicles that had stopped to allow pedestrians to cross?
- Did he/she refrain from jumping the starting signal or riding through the caution light?
- Was he/she aware of groups of children, and was he prepared to stop if one ran into the street?
- Did he/she give all pedestrians the right of way?

123

4/2020

### **Pulling from Curb**

- Did our operator look to front and rear for approaching and overtaking traffic immediately before starting to pull out?
- Did he look back rather than depend upon rear vision mirror?
- Did he signal before pulling from curb?
- Did he start out only when his action would not require traffic to change its speed or direction in order to avoid him?
- Did he continue to glance back as he pulled out?

### **Skidding**

- Was our operator driving at a speed safe for condition of weather and road?
- Was he keeping at least twice the safe following distance for dry pavement, one bus length for every ten miles per hour of speed?
- Were all his actions gradual?
- Was he expecting or alert for loose gravel, grease, oil, etc.?

### **Parked**

- Was our operator parked on the right side of the street?
- Was it necessary to park near the intersection?
- Did he have to park on the traveled part of the street, on the curve, or on the hill?
- Where required, did he warn traffic?
- Did he park parallel to curb?
- Was it necessary to park so close to alley or directly across from driveway?

### **All Others**

- Could our operator reasonably have done anything to avoid the accident?
- Was his speed safe for the conditions?
- Did he obey all traffic signals?
- Was his vehicle under Control?

IF THE ANSWER TO ANY QUESTIONS IS “NO” OUR OPERATOR WAS NOT DRIVING DEFENSIVELY AND IS AT FAULT. EXCEPT FOR THE QUESTIONS ON “ALL OTHERS”

## **SAMPSON AREA TRANSPORTATION CORRECTIVE ACTION IDENTIFICATION AND TRACKING**

A Corrective Action must be formally tracked until the Corrective Action is implemented.

4/2020

Transit System: Sampson Area Transportation

Driver:

\_\_\_\_\_

Corrective Action(s):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date Corrective Action Implemented: \_\_\_\_\_

Acceptability of Action:

*Mark an X next to the appropriate response.*

Action is acceptable \_\_\_\_

Action is unacceptable \_\_\_\_

Action is incomplete \_\_\_\_

Corrective Action Approved by:

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Form Prepared By:

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

**ZERO TOLERANCE  
DRUG AND ALCOHOL TESTING POLICY  
SAMPSON AREA TRANSPORTATION  
Adopted as of 4/6/2020**

**A. PURPOSE**

- 1) The Sampson Area Transportation system provides public transit and paratransit services for the residents of Sampson County. Part of our mission is to ensure that this service is delivered safely, efficiently, and effectively by establishing a drug and alcohol-free work environment, and to ensure that the workplace remains free from the effects of drugs and alcohol in order to promote the health and safety of employees and the general public. In keeping with this mission, Sampson Area Transportation declares that the unlawful manufacture, distribution, dispense, possession, or use of controlled substances or misuse of alcohol is prohibited for all employees.
  
- 2) Additionally, the purpose of this policy is to establish guidelines to maintain a drug and alcohol-free workplace in compliance with the Drug-Free Workplace Act of 1988, and the Omnibus Transportation Employee Testing Act of 1991. This policy is intended to comply with all applicable Federal regulations governing workplace anti-drug and alcohol programs in the transit industry. Specifically, the Federal Transit Administration (FTA) of the U.S. Department of Transportation has published 49 CFR Part 655, as amended, that mandates urine drug testing and breath alcohol testing for safety-sensitive positions and prohibits performance of safety-sensitive functions when there is a positive test result, or a refusal to test. The U. S. Department of Transportation (USDOT) has also published 49 CFR Part 40, as amended, that sets standards for the collection and testing of urine and breath specimens.
  
- 3) Any provisions set forth in this policy that are included under the sole authority of Sampson Area Transportation and are not provided under the authority of the above-named Federal regulations are underlined. Tests conducted under the sole authority of Sampson Area Transportation will be performed on non-USDOT forms and will be separate from USDOT testing in all respects.

**B. APPLICABILITY**

4/2020

This Drug and Alcohol Testing Policy applies to all safety-sensitive employees (full- or part-time) when performing safety sensitive duties. See Attachment A for a list of employees and the authority under which they are included.

A safety-sensitive function is operation of public transit service including the operation of a revenue service vehicle (whether or not the vehicle is in revenue service), maintenance of a revenue service vehicle or equipment used in revenue service, security personnel who carry firearms, dispatchers or persons controlling the movement of revenue service vehicles and any transit employee who operates a non-revenue service vehicle that requires a Commercial Driver's License to operate. Maintenance functions include the repair, overhaul, and rebuild of engines, vehicles and/or equipment used in revenue service. A list of safety-sensitive positions who perform one or more of the above-mentioned duties is provided in Attachment A. Supervisors are only safety sensitive if they perform one of the above functions. Volunteers are considered safety sensitive and subject to testing if they are required to hold a CDL or receive remuneration for service in excess of actual expense.

### **C. DEFINITIONS**

*Accident:* An occurrence associated with the operation of a vehicle even when not in revenue service, if as a result:

- a. An individual dies;
- b. An individual suffers a bodily injury and immediately receives medical treatment away from the scene of the accident; or,
- c. One or more vehicles incur disabling damage as the result of the occurrence and is transported away from the scene by a tow truck or other vehicle. For purposes of this definition, *disabling damage* means damage which precludes departure of any vehicle from the scene of the occurrence in its usual manner in daylight after simple repairs. Disabling damage includes damage to vehicles that could have been operated but would have been further damaged if so operated, but does not include damage which can be remedied temporarily at the scene of the occurrence without special tools or parts, tire disablement without other damage even if no spare tire is available, or damage to headlights, taillights, turn signals, horn, or windshield wipers that makes them inoperative.

*Adulterated specimen:* A specimen that has been altered, as evidence by test results showing either a substance that is not a normal constituent for that type of specimen or showing an abnormal concentration of an endogenous substance.

4/2020

*Alcohol:* The intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols contained in any beverage, mixture, mouthwash, candy, food, preparation or medication.

*Alcohol Concentration:* Expressed in terms of grams of alcohol per 210 liters of breath as indicated by a breath test under 49 CFR Part 40.

*Aliquot:* A fractional part of a specimen used for testing, it is taken as a sample representing the whole specimen.

*Canceled Test:* A drug or alcohol test that has a problem identified that cannot be or has not been corrected, or which is cancelled. A canceled test is neither positive nor negative.

*Confirmatory Drug Test:* A second analytical procedure performed on a different aliquot of the original specimen to identify and quantify the presence of a specific drug or metabolite.

*Confirmatory Validity Test:* A second test performed on a different aliquot of the original urine specimen to further support a validity test result.

*Covered Employee Under FTA Authority:* An employee who performs a safety-sensitive function including an applicant or transferee who is being considered for hire into a safety-sensitive function (See Attachment A for a list of covered employees).

*Designated Employer Representative (DER):* An employee authorized by the employer to take immediate action to remove employees from safety-sensitive duties and to make required decisions in testing. The DER also receives test results and other communications for the employer, consistent with the requirements of 49 CFR Parts 40 and 655.

*DOT, The Department, DOT Agency:* These terms encompass all DOT agencies, including, but not limited to, the Federal Aviation Administration (FAA), the Federal Railroad Administration (FRA), the Federal Motor Carrier Safety Administration (FMCSA), the Federal Transit Administration (FTA), the National Highway Traffic Safety Administration (NHTSA), the Pipeline and Hazardous Materials Safety Administration (PHMSA), and the Office of the Secretary (OST). For purposes of 49 CFR Part 40, the United States Coast Guard (USCG), in the Department of Homeland Security, is considered to be a DOT agency for drug testing purposes. These terms include any designee of a DOT agency.

*Dilute specimen:* A urine specimen with creatinine and specific gravity values that are lower than expected for human urine.

4/2020

*Disabling damage:* Damage which precludes departure of any vehicle from the scene of the occurrence in its usual manner in daylight after simple repairs. Disabling damage includes damage to vehicles that could have been operated but would have been further damaged if so operated, but does not include damage which can be remedied temporarily at the scene of the occurrence without special tools or parts, tire disablement without other damage even if no spare tire is available, or damage to headlights, taillights, turn signals, horn, or windshield wipers that makes them inoperative.

*Evidentiary Breath Testing Device (EBT):* A device approved by the NHTSA for the evidential testing of breath at the 0.02 and the 0.04 alcohol concentrations and appears on ODAPC's Web page for "Approved Evidential Breath Measurement Devices" because it conforms with the model specifications available from NHTSA.

*Initial Drug Test: (Screening Drug Test)* The test used to differentiate a negative specimen from one that requires further testing for drugs or drug metabolites.

*Initial Specimen Validity Test:* The first test used to determine if a urine specimen is adulterated, diluted, substituted, or invalid

*Invalid Result:* The result reported by an HHS-certified laboratory in accordance with the criteria established by the HHS Mandatory Guidelines when a positive, negative, adulterated, or substituted result cannot be established for a specific drug or specimen validity test.

*Laboratory:* Any U.S. laboratory certified by HHS under the National Laboratory Certification program as meeting standards of Subpart C of the HHS Mandatory Guidelines for Federal Workplace Drug Testing Programs; or, in the case of foreign laboratories, a laboratory approved for participation by DOT under this part.

*Limit of Detection (LOD):* The lowest concentration at which a measurand can be identified, but (for quantitative assays) the concentration cannot be accurately calculated.

*Limit of Quantitation:* For quantitative assays, the lowest concentration at which the identity and concentration of the measurand can be accurately established.

*Medical Review Officer (MRO):* A licensed physician (medical doctor or doctor of osteopathy) responsible for receiving laboratory results generated by the drug testing program who has knowledge of substance abuse disorders, and has appropriate medical training to interpret and evaluate an individual's confirmed

129

4/2020

positive test result, together with his/her medical history, and any other relevant bio-medical information.

*Negative Dilute:* A drug test result which is negative for the five drug/drug metabolites but has creatinine and specific gravity values that are lower than expected for human urine.

*Negative result:* The result reported by an HHS-certified laboratory to an MRO when a specimen contains no drug, or the concentration of the drug is less than the cutoff concentration for the drug or drug class and the specimen is a valid specimen. An alcohol concentration of less than 0.02 BAC is a negative test result.

*Non-negative test result:* A urine specimen that is reported as adulterated, substituted, invalid, or positive for drug/drug metabolites.

*Oxidizing Adulterant:* A substance that acts alone or in combination with other substances to oxidize drugs or drug metabolites to prevent the detection of the drug or metabolites or affects the reagents in either the initial or confirmatory drug test.

*Performing (a safety-sensitive function):* A covered employee is considered to be performing a safety-sensitive function and includes any period in which he or she is actually performing, ready to perform, or immediately available to perform such functions.

*Positive result:* The result reported by an HHS- Certified laboratory when a specimen contains a drug or drug metabolite equal or greater to the cutoff concentrations.

*Prohibited drug:* Identified as marijuana, cocaine, opioids, amphetamines, or phencyclidine at levels above the minimum thresholds specified in 49 CFR Part 40, as amended.

*Reconfirmed:* The result reported for a split specimen when the second laboratory is able to corroborate the original result reported for the primary specimen.

*Rejected for Testing:* The result reported by an HHS- Certified laboratory when no tests are performed for specimen because of a fatal flaw or a correctable flaw that has not been corrected.

*Revenue Service Vehicles:* All transit vehicles that are used for passenger transportation service.



4/2020

*Safety-sensitive functions:* Employee duties identified as:

- (1) The operation of a transit revenue service vehicle even when the vehicle is not in revenue service.
- (2) The operation of a non-revenue service vehicle by an employee when the operation of such a vehicle requires the driver to hold a Commercial Drivers License (CDL).
- (3) Maintaining a revenue service vehicle or equipment used in revenue service.
- (4) Controlling the movement of a revenue service vehicle and
- (5) Carrying a firearm for security purposes.

*Split Specimen Collection:* A collection in which the urine collected is divided into two separate bottles, the primary specimen (Bottle A) and the split specimen (Bottle B).

*Substance Abuse Professional (SAP):* A licensed physician (medical doctor or doctor of osteopathy) or licensed or certified psychologist, social worker, employee assistance professional, state-licensed or certified marriage and family therapist, or drug and alcohol counselor (certified by an organization listed at <https://www.transportation.gov/odapc/sap>) with knowledge of and clinical experience in the diagnosis and treatment of drug and alcohol related disorders.

*Substituted specimen:* A urine specimen with creatinine and specific gravity values that are so diminished or so divergent that they are not consistent with normal human urine.

*Test Refusal:* The following are considered a refusal to test if the employee:

- (1) Fail to appear for any test (except a pre-employment test) within a reasonable time, as determined by the employer.
- (2) Fail to remain at the testing site until the testing process is complete. An employee who leaves the testing site before the testing process commences for a pre-employment test has not refused to test.
- (3) Fail to attempt to provide a breath or urine specimen. An employee who does not provide a urine or breath specimen because he or she has left the testing site before the testing process commenced for a pre-employment test has not refused to test.
- (4) In the case of a directly-observed or monitored urine drug collection, fail to permit monitoring or observation of your provision of a specimen.
- (5) Fail to provide a sufficient quantity of urine or breath without a valid medical explanation.
- (6) Fail or decline to take a second test as directed by the collector or the employer for drug testing.

131

4/2020

- (7) Fail to undergo a medical evaluation as required by the MRO or the employer's Designated Employer Representative (DER).
- (8) Fail to cooperate with any part of the testing process.
- (9) Fail to follow an observer's instructions to raise and lower clothing and turn around during a directly-observed test.
- (10) Possess or wear a prosthetic or other device used to tamper with the collection process.
- (11) Admit to the adulteration or substitution of a specimen to the collector or MRO.
- (12) Refuse to sign the certification at Step 2 of the Alcohol Testing Form (ATF).
- (13) Fail to remain readily available following an accident.
- (14) As a covered employee, if the MRO reports that you have a verified adulterated or substituted test result, you have refused to take a drug test.

*Vehicle:* A bus, electric bus, van, automobile, rail car, trolley car, trolley bus, or vessel. A public transit vehicle is a vehicle used for public transportation or for ancillary services.

*Verified negative test:* A drug test result reviewed by a medical review officer and determined to have no evidence of prohibited drug use above the minimum cutoff levels established by the Department of Health and Human Services (HHS).

*Verified positive test:* A drug test result reviewed by a medical review officer and determined to have evidence of prohibited drug use above the minimum cutoff levels specified in 49 CFR Part 40 as revised.

*Validity testing:* The evaluation of the specimen to determine if it is consistent with normal human urine. Specimen validity testing will be conducted on all urine specimens provided for testing under DOT authority. The purpose of validity testing is to determine whether certain adulterants or foreign substances were added to the urine, if the urine was diluted, or if the specimen was substituted.

#### **D. EDUCATION AND TRAINING**

- 1) Every covered employee will receive a copy of this policy and will have ready access to the corresponding federal regulations including 49 CFR Parts 655 and 40, as amended. In addition, all covered employees will undergo a minimum of 60 minutes of training on the signs and symptoms of drug use including the effects and consequences of drug use on personal health, safety, and the work environment. The training also

4/2020

includes manifestations and behavioral cues that may indicate prohibited drug use.

- 2) All supervisory personnel or company officials who are in a position to determine employee fitness for duty will receive 60 minutes of reasonable suspicion training on the physical, behavioral, and performance indicators of probable drug use and 60 minutes of additional reasonable suspicion training on the physical, behavioral, speech, and performance indicators of probable alcohol misuse.

## **E. PROHIBITED SUBSTANCES**

- 1) Prohibited substances addressed by this policy include the following.
  - a. Illegally Used Controlled Substance or Drugs Under the Drug-Free Workplace Act of 1988 any drug or any substance identified in Schedule I through V of Section 202 of the Controlled Substance Act (21 U.S.C. 812), and as further defined by 21 CFR 1300.11 through 1300.15 is prohibited at all times in the workplace unless a legal prescription has been written for the substance. This includes, but is not limited to: marijuana, amphetamines, opioids, phencyclidine (PCP), and cocaine, as well as any drug not approved for medical use by the U.S. Drug Enforcement Administration or the U.S. Food and Drug Administration. Illegal use includes use of any illegal drug, misuse of legally prescribed drugs, and use of illegally obtained prescription drugs. Also, the medical use of marijuana, or the use of hemp related products, which cause drug or drug metabolites to be present in the body above the minimum thresholds is a violation of this policy

Federal Transit Administration drug testing regulations (49 CFR Part 655) require that all employees covered under FTA authority be tested for marijuana, cocaine, amphetamines, opioids, and phencyclidine as described in Section H of this policy. Illegal use of these five drugs is prohibited at all times and thus, covered employees may be tested for these drugs anytime that they are on duty.

- b. Legal Drugs: The appropriate use of legally prescribed drugs and non-prescription medications is not prohibited. However, the use of any substance which carries a warning label that indicates that mental functioning, motor skills, or judgment may be adversely affected must be reported to a Sampson Area Transportation supervisor and the employee is required to provide a written release from his/her doctor or pharmacist indicating that the employee can perform his/her safety-sensitive functions.

133

4/2020

Alcohol: The use of beverages containing alcohol (including mouthwash, medication, food, candy) or any other substances containing alcohol in a manner which violates the conduct listed in this policy is prohibited.

**F. PROHIBITED CONDUCT**

- 1) All covered employees are prohibited from reporting for duty or remaining on duty any time there is a quantifiable presence of a prohibited drug in the body above the minimum thresholds defined in 49 CFR Part 40, as amended.
- 2) Each covered employee is prohibited from consuming alcohol while performing safety-sensitive job functions or while on-call to perform safety-sensitive job functions. If an on-call employee has consumed alcohol, they must acknowledge the use of alcohol at the time that they are called to report for duty. The covered employee will subsequently be relieved of his/her on-call responsibilities and subject to discipline for not fulfilling his/her on-call responsibilities.
- 3) The Transit Department shall not permit any covered employee to perform or continue to perform safety-sensitive functions if it has actual knowledge that the employee is using alcohol
- 4) Each covered employee is prohibited from reporting to work or remaining on duty requiring the performance of safety-sensitive functions while having an alcohol concentration of 0.04 or greater regardless of when the alcohol was consumed.
  - a. An employee with a breath alcohol concentration which measures 0.02-0.039 is not considered to have violated the USDOT-FTA drug and alcohol regulations, provided the employee hasn't consumed the alcohol within four (4) hours of performing a safety-sensitive duty. However, if a safety-sensitive employee has a breath alcohol concentration of 0.02-0.039, USDOT-FTA regulations require the employee to be removed from the performance of safety-sensitive duties until:
    - i. The employee's alcohol concentration measures less than 0.02; or
    - ii. The start of the employee's next regularly scheduled duty period, but not less than eight hours following administration of the test.

134

4/2020

- 5) No covered employee shall consume alcohol for eight (8) hours following involvement in an accident or until he/she submits to the post-accident drug/alcohol test, whichever occurs first.
- 6) No covered employee shall consume alcohol within four (4) hours prior to the performance of safety-sensitive job functions.
- 7) Sampson Area Transportation, under its own authority, also prohibits the consumption of alcohol at all times the employee is on duty, or anytime the employee is in uniform.
- 8) Consistent with the Drug-free Workplace Act of 1988, all Sampson Area Transportation employees are prohibited from engaging in the unlawful manufacture, distribution, dispensing, possession, or use of prohibited substances in the work place including transit system premises and transit vehicles.

#### **G. DRUG STATUTE CONVICTION**

Consistent with the Drug Free Workplace Act of 1998, all employees are required to notify the Sampson Area Transportation management of any criminal drug statute conviction for a violation occurring in the workplace within five days after such conviction. Failure to comply with this provision shall result in disciplinary action as defined in Section Q of this policy.

#### **H. TESTING REQUIREMENTS**

- 1) Analytical urine drug testing and breath testing for alcohol will be conducted as required by 49 CFR Part 40 as amended. All employees covered under FTA authority shall be subject to testing prior to performing safety-sensitive duty, for reasonable suspicion, following an accident, and random as defined in Section K, L, M, and N of this policy, and return to duty/follow-up.
- 2) A drug test can be performed any time a covered employee is on duty. A reasonable suspicion, random, or follow-up alcohol test can only be performed just before, during, or after the performance of a safety-sensitive job function. Under Sampson Area Transportation authority, a non-DOT alcohol test can be performed any time a covered employee is on duty.

4/2020

- 3) All covered employees will be subject to urine drug testing and breath alcohol testing as a condition of ongoing employment with Sampson Area Transportation. Any safety-sensitive employee who refuses to comply with a request for testing shall be removed from duty and subject to discipline as defined in Section Q of this policy.

## **I. DRUG TESTING PROCEDURES**

- 1) Testing shall be conducted in a manner to assure a high degree of accuracy and reliability and using techniques, equipment, and laboratory facilities which have been approved by the U.S. Department of Health and Human Service (HHS). All testing will be conducted consistent with the procedures set forth in 49 CFR Part 40, as amended. The procedures will be performed in a private, confidential manner and every effort will be made to protect the employee, the integrity of the drug testing procedure, and the validity of the test result.
- 2) The drugs that will be tested for include marijuana, cocaine, opioids, amphetamines, and phencyclidine. After the identity of the donor is checked using picture identification, a urine specimen will be collected using the split specimen collection method described in 49 CFR Part 40, as amended. Each specimen will be accompanied by a DOT Custody and Control Form and identified using a unique identification number that attributes the specimen to the correct individual. The specimen analysis will be conducted at an HHS certified laboratory. An initial drug screen and validity test will be conducted on the primary urine specimen. For those specimens that are not negative, a confirmatory Gas Chromatography/Mass Spectrometry (GC/MS) or Liquid Chromatography/Mass Spectrometry (LC/MS) test will be performed. The test will be considered positive if the amounts of the drug(s) and/or its metabolites identified by the GC/MS or LC/MS test are above the minimum thresholds established in 49 CFR Part 40, as amended.
- 3) The test results from the HHS certified laboratory will be reported to a Medical Review Officer. A Medical Review Officer (MRO) is a licensed physician with detailed knowledge of substance abuse disorders and drug testing. The MRO will review the test results to ensure the scientific validity of the test and to determine whether there is a legitimate medical explanation for a confirmed positive, substitute, or adulterated test result. The MRO will attempt to contact the employee to notify the employee of the non-negative laboratory result and provide the employee with an opportunity to explain the confirmed laboratory test result. The MRO will

136

4/2020

- subsequently review the employee's medical history/medical records as appropriate to determine whether there is a legitimate medical explanation for a non-negative laboratory result. If no legitimate medical explanation is found, the test will be verified positive or refusal to test and reported to Sampson Area Transportation. If a legitimate explanation is found, the MRO will report the test result as negative.
- 4) If the test is invalid without a medical explanation, a retest will be conducted under direct observation. Employees do not have access to a test of their split specimen following an invalid result.
  - 5) Any covered employee who questions the results of a required drug test may request that the split sample be tested. The split sample test must be conducted at a second HHS-certified laboratory. The test must be conducted on the split sample that was provided by the employee at the same time as the primary sample. The method of collecting, storing, and testing the split sample will be consistent with the procedures set forth in 49 CFR Part 40, as amended. The employee's request for a split sample test must be made to the Medical Review Officer within 72 hours of notice of the original sample verified test result. Requests after 72 hours will only be accepted at the discretion of the MRO if the delay was due to documentable facts that were beyond the control of the employee. Sampson Area Transportation will ensure that the cost for the split specimen analysis is covered in order for a timely analysis of the sample, however Sampson Area Transportation will seek reimbursement for the split sample test from the employee.
  - 6) If the analysis of the split specimen fails to confirm the presence of the drug(s) detected in the primary specimen, if the split specimen is not able to be analyzed, or if the results of the split specimen are not scientifically adequate, the MRO will declare the original test to be canceled.
  - 7) The split specimen will be stored at the initial laboratory until the analysis of the primary specimen is completed. If the primary specimen is negative, the split will be discarded. If the primary specimen is positive, it will be retained in frozen storage for one year and the split specimen will also be retained for one year. If the primary is positive, the primary and the split will be retained for longer than one year for testing if so requested by the employee through the Medical Review Officer, or by the employer, by the MRO, or by the relevant DOT agency.
  - 8) Observed collections

137

4/2020

- a. Consistent with 49 CFR Part 40, as amended, collection under direct observation (by a person of the same gender) with no advance notice will occur if:
  - i. The laboratory reports to the MRO that a specimen is invalid, and the MRO reports to Sampson Area Transportation that there was not an adequate medical explanation for the result;
  - ii. The MRO reports to Sampson Area Transportation that the original positive, adulterated, or substituted test result had to be cancelled because the test of the split specimen could not be performed;
  - iii. The laboratory reported to the MRO that the specimen was negative-dilute with a creatinine concentration greater than or equal to 2 mg/dL but less than or equal to 5 mg/dL, and the MRO reported the specimen as negative-dilute and that a second collection must take place under direct observation (see §40.197(b)(1)).
  - iv. The collector observes materials brought to the collection site or the employee's conduct clearly indicates an attempt to tamper with a specimen;
  - v. The temperature on the original specimen was out of range;
  - vi. Anytime the employee is directed to provide another specimen because the original specimen appeared to have been tampered with.
  - vii. All follow-up-tests; or
  - viii. All return-to-duty tests

## **J. ALCOHOL TESTING PROCEDURES**

- 1) Tests for breath alcohol concentration will be conducted utilizing a National Highway Traffic Safety Administration (NHTSA)-approved Evidential Breath Testing device (EBT) operated by a trained Breath Alcohol Technician (BAT). A list of approved EBTs can be found on ODAPC's Web page for "Approved Evidential Breath Measurement Devices". Alcohol screening tests may be performed using a non-

138



4/2020

evidential testing device (alcohol screening device (ASD)) which is also approved by NHTSA. A list of approved ASDs can be found on ODAPC's Web page for "Approved Screening Devices to Measure Alcohol in Bodily Fluids". If the initial test indicates an alcohol concentration of 0.02 or greater, a second test will be performed to confirm the results of the initial test. The confirmatory test must occur on an EBT. The confirmatory test will be conducted no sooner than fifteen minutes after the completion of the initial test. The confirmatory test will be performed using a NHTSA-approved EBT operated by a trained BAT. The EBT will identify each test by a unique sequential identification number. This number, time, and unit identifier will be provided on each EBT printout. The EBT printout, along with an approved alcohol testing form, will be used to document the test, the subsequent results, and to attribute the test to the correct employee. The test will be performed in a private, confidential manner as required by 49 CFR Part 40, as amended. The procedure will be followed as prescribed to protect the employee and to maintain the integrity of the alcohol testing procedures and validity of the test result.

- 2) A confirmed alcohol concentration of 0.04 or greater will be considered a positive alcohol test and in violation of this policy. The consequences of a positive alcohol test are described in Section Q. of this policy. Even though an employee who has a confirmed alcohol concentration of 0.02 to 0.039 is not considered positive, the employee shall still be removed from duty for at least eight hours or for the duration of the work day whichever is longer and will be subject to the consequences described in Section Q of this policy. An alcohol concentration of less than 0.02 will be considered a negative test.
- 3) Sampson Area Transportation affirms the need to protect individual dignity, privacy, and confidentiality throughout the testing process. If at any time the integrity of the testing procedures or the validity of the test results is compromised, the test will be canceled. Minor inconsistencies or procedural flaws that do not impact the test result will not result in a cancelled test.
- 4) The alcohol testing form (ATF) required by 49 CFR Part 40 as amended, shall be used for all FTA required testing. Failure of an employee to sign step 2 of the ATF will be considered a refusal to submit to testing.

#### **K. PRE-EMPLOYMENT TESTING**

- 1) All applicants for covered transit positions shall undergo urine drug testing prior to performance of a safety-sensitive function.

139

- a. All offers of employment for covered positions shall be extended conditional upon the applicant passing a drug test. An applicant will not be allowed to perform safety-sensitive functions unless the applicant takes a drug test with verified negative results.
- b. An employee shall not be placed, transferred or promoted into a position covered under FTA authority or company authority until the employee takes a drug test with verified negative results.
- c. If an applicant fails a pre-employment drug test, the conditional offer of employment shall be rescinded, and the applicant will be provided with a list of at least two (2) USDOT qualified Substance Abuse Professionals. Failure of a pre-employment drug test will disqualify an applicant for employment for a period of at least one year. Before being considered for future employment the applicant must provide the employer proof of having successfully completed a referral, evaluation and treatment plan as described in section 655.62 of subpart G. The cost for the assessment and any subsequent treatment will be the sole responsibility of the applicant.
- d. When an employee being placed, transferred, or promoted from a non-covered position to a position covered under FTA authority or company authority submits a drug test with a verified positive result, the employee shall be subject to disciplinary action in accordance with Section Q herein.
- e. If a pre-employment test is canceled, Sampson Area Transportation will require the applicant to take and pass another pre-employment drug test.
- f. In instances where a FTA covered employee does not perform a safety-sensitive function for a period of 90 consecutive days or more regardless of reason, and during that period is not in the random testing pool the employee will be required to take a pre-employment drug test under 49 CFR Part 655 and have negative test results prior to the conduct of safety-sensitive job functions.
- g. Following a negative dilute the employee will be required to undergo another test. Should this second test result in a negative dilute result, the test will be considered a negative and no additional testing will be required unless directed to do so by the MRO.

- h. Applicants are required (even if ultimately not hired) to provide *Sampson Area Transportation* with signed written releases requesting USDOT drug and alcohol records from all previous, USDOT-covered, employers that the applicant has worked for within the last two years. Failure to do so will result in the employment offer being rescinded. *Sampson Area Transportation* is required to ask all applicants (even if ultimately not hired) if they have tested positive or refused to test on a pre-employment test for a USDOT covered employer within the last two years. If the applicant has tested positive or refused to test on a pre-employment test for a USDOT covered employer, the applicant must provide *Sampson Area Transportation* proof of having successfully completed a referral, evaluation and treatment plan as described in section 655.62 of subpart G.

#### **L. REASONABLE SUSPICION TESTING**

- 1) All *Sampson Area Transportation* FTA covered employees will be subject to a reasonable suspicion drug and/or alcohol test when the employer has reasonable suspicion to believe that the covered employee has used a prohibited drug and/or engaged in alcohol misuse. Reasonable suspicion shall mean that there is objective evidence, based upon specific, contemporaneous, articulable observations of the employee's appearance, behavior, speech or body odor that are consistent with possible drug use and/or alcohol misuse. Reasonable suspicion referrals must be made by one or more supervisors who are trained to detect the signs and symptoms of drug and alcohol use, and who reasonably concludes that an employee may be adversely affected or impaired in his/her work performance due to possible prohibited substance abuse or alcohol misuse. A reasonable suspicion alcohol test can only be conducted just before, during, or just after the performance of a safety-sensitive job function. However, under *Sampson Area Transportation* authority, a non-DOT reasonable suspicion alcohol test may be performed any time the covered employee is on duty. A reasonable suspicion drug test can be performed any time the covered employee is on duty.
- 2) *Sampson Area Transportation* shall be responsible for transporting the employee to the testing site. Supervisors should avoid placing themselves and/or others into a situation which might endanger the physical safety of those present. The employee shall be placed on administrative leave pending disciplinary action described in Section Q of this policy. An employee who refuses an instruction to submit to a drug/alcohol test shall not be permitted to finish his or her shift and shall

4/2020

immediately be placed on administrative leave pending disciplinary action as specified in Section Q of this policy.

- 3) A written record of the observations which led to a drug/alcohol test based on reasonable suspicion shall be prepared and signed by the supervisor making the observation. This written record shall be submitted to the Sampson Area Transportation.
- 4) When there are no specific, contemporaneous, articulable objective facts that indicate current drug or alcohol use, but the employee (who is not already a participant in a treatment program) admits the abuse of alcohol or other substances to a supervisor in his/her chain of command, the employee shall be referred for assessment and treatment consistent with Section Q of this policy. Sampson Area Transportation shall place the employee on administrative leave in accordance with the provisions set forth under Section Q of this policy. Testing in this circumstance would be performed under the direct authority of the Sampson Area Transportation. **Since the employee self-referred to management, testing under this circumstance would not be considered a violation of this policy or a positive test result under Federal authority.** However, self-referral does not exempt the covered employee from testing under Federal authority as specified in Sections L through N of this policy or the associated consequences as specified in Section Q.

#### **M. POST-ACCIDENT TESTING**

- 1) FATAL ACCIDENTS – A covered employee will be required to undergo urine and breath testing if they are involved in an accident with a transit vehicle, whether or not the vehicle is in revenue service at the time of the accident, that results in a fatality. This includes all surviving covered employees that are operating the vehicle at the time of the accident and any other whose performance could have contributed to the accident, as determined by the employer using the best information available at the time of the decision.
- 2) NON-FATAL ACCIDENTS - A post-accident test of the employee operating the public transportation vehicle will be conducted if an accident occurs and at least one of the following conditions is met:
  - a. The accident results in injuries requiring immediate medical treatment away from the scene, unless the covered employee can be completely discounted as a contributing factor to the accident.
  - b. One or more vehicles incurs disabling damage as a result of the occurrence and must be transported away from the scene, unless

142

4/2020

the covered employee can be completely discounted as a contributing factor to the accident

In addition, any other covered employee whose performance could have contributed to the accident, as determined by the employer using the best information available at the time of the decision, will be tested.

As soon as practicable following an accident, as defined in this policy, the transit supervisor investigating the accident will notify the transit employee operating the transit vehicle and all other covered employees whose performance could have contributed to the accident of the need for the test. The supervisor will make the determination using the best information available at the time of the decision.

The appropriate transit supervisor shall ensure that an employee, required to be tested under this section, is tested as soon as practicable, but no longer than eight (8) hours of the accident for alcohol, and no longer than 32 hours for drugs. If an alcohol test is not performed within two hours of the accident, the Supervisor will document the reason(s) for the delay. If the alcohol test is not conducted within (8) eight hours, or the drug test within 32 hours, attempts to conduct the test must cease and the reasons for the failure to test documented.

Any covered employee involved in an accident must refrain from alcohol use for eight (8) hours following the accident, or until he/she undergoes a post-accident alcohol test.

An employee who is subject to post-accident testing who fails to remain readily available for such testing, including notifying a supervisor of his or her location if he or she leaves the scene of the accident prior to submission to such test, may be deemed to have refused to submit to testing.

Nothing in this section shall be construed to require the delay of necessary medical attention for the injured following an accident, or to prohibit an employee from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident, or to obtain necessary emergency medical care.

In the rare event that Sampson Area Transportation is unable to perform an FTA drug and alcohol test (i.e., employee is unconscious, employee is detained by law enforcement agency), Sampson Area Transportation may use drug and alcohol post-accident test results administered by local law enforcement officials in lieu of the FTA test. The local law enforcement officials must have independent authority for the test and the employer must obtain the results in conformance with local law.

143

## **N. RANDOM TESTING**

- 1) All covered employees will be subjected to random, unannounced testing. The selection of employees shall be made by a scientifically valid method of randomly generating an employee identifier from the appropriate pool of safety-sensitive employees. Employees who may be covered under company authority will be selected from a pool of non-DOT-covered employees.
- 2) The dates for administering unannounced testing of randomly selected employees shall be spread reasonably throughout the calendar year, day of the week and hours of the day.
- 3) The number of employees randomly selected for drug/alcohol testing during the calendar year shall be not less than the percentage rates set each year by the FTA administrator. The current year testing rates can be viewed online at <https://www.transportation.gov/odapc/random-testing-rates>.
- 4) Each covered employee shall be in a pool from which the random selection is made. Each covered employee in the pool shall have an equal chance of selection each time the selections are made. Employees will remain in the pool and subject to selection, whether or not the employee has been previously tested. There is no discretion on the part of management in the selection.
- 5) Covered transit employees that fall under the Federal Transit Administration regulations will be included in one random pool maintained separately from the testing pool of non-safety-sensitive employees that are included solely under Sampson Area Transportation authority.
- 6) Random tests can be conducted at any time during an employee's shift for drug testing. Alcohol random tests can only be performed just before, during, or just after the performance of a safety sensitive duty. However, under Sampson Area Transportation authority, a non-DOT random alcohol test may be performed any time the covered employee is on duty. Testing can occur during the beginning, middle, or end of an employee's shift.
- 7) Employees are required to proceed immediately to the collection site upon notification of their random selection.

**O. RETURN-TO-DUTY TESTING**

Sampson Area Transportation will terminate the employment of any employee that tests positive or refuses a test as specified in section Q of this policy. However, in the rare event an employee is reinstated with court order or other action beyond the control of the transit system, the employee must complete the return-to-duty process prior to the performance of safety-sensitive functions. All covered employees who previously tested positive on a drug or alcohol test or refused a test, must test negative for drugs, alcohol (below 0.02 for alcohol), or both and be evaluated and released by the Substance Abuse Professional before returning to work. Following the initial assessment, the SAP will recommend a course of rehabilitation unique to the individual. The SAP will recommend the return-to-duty test only when the employee has successfully completed the treatment requirement and is known to be drug and alcohol-free and there are no undue concerns for public safety. The SAP will determine whether the employee returning to duty will require a return-to-duty drug test, alcohol test, or both.

**P. FOLLOW-UP TESTING**

Covered employees that have returned to duty following a positive or refused test will be required to undergo frequent, unannounced drug and/or alcohol testing following their return-to-duty test. The follow-up testing will be performed for a period of one to five years with a minimum of six tests to be performed the first year. The frequency and duration of the follow-up tests (beyond the minimums) will be determined by the SAP reflecting the SAP's assessment of the employee's unique situation and recovery progress. Follow-up testing should be frequent enough to deter and/or detect a relapse. Follow-up testing is separate and in addition to the random, post-accident, reasonable suspicion and return-to-duty testing.

In the instance of a self-referral or a management referral, the employee will be subject to non-USDOT follow-up tests and follow-up testing plans modeled using the process described in 49 CFR Part 40. However, all non-USDOT follow-up tests and all paperwork associated with an employee's return-to-work agreement that was not precipitated by a positive test result (or refusal to test) does not constitute a violation of the Federal regulations will be conducted under company authority and will be performed using non-DOT testing forms.

**Q. RESULT OF DRUG/ALCOHOL TEST**

- 1) Any covered employee that has a verified positive drug or alcohol test, or test refusal, will be removed from his/her safety-sensitive position,

4/2020

informed of educational and rehabilitation programs available, and will be provided with a list of at least two (2) USDOT qualified Substance Abuse Professionals (SAP) for assessment, and will be terminated.

- 2) Following a negative dilute the employee will be required to undergo another test. Should this second test result in a negative dilute result, the test will be considered a negative and no additional testing will be required unless directed to do so by the MRO.
- 3) Refusal to submit to a drug/alcohol test shall be considered equivalent to a positive test result and a direct act of insubordination and shall result in termination and referral to a list of USDOT qualified SAPs. A test refusal includes the following circumstances:
  - a. Fail to appear for any test (except a pre-employment test) within a reasonable time, as determined by the employer.
  - b. Fail to remain at the testing site until the testing process is complete. An employee who leaves the testing site before the testing process commences for a pre-employment test has not refused to test.
  - c. Fail to attempt to provide a breath or urine specimen. An employee who does not provide a urine or breath specimen because he or she has left the testing site before the testing process commenced for a pre-employment test has not refused to test.
  - d. In the case of a directly-observed or monitored urine drug collection, fail to permit monitoring or observation of your provision of a specimen.
  - e. Fail to provide a sufficient quantity of urine or breath without a valid medical explanation.
  - f. Fail or decline to take a second test as directed by the collector or the employer for drug testing.
  - g. Fail to undergo a medical evaluation as required by the MRO or the employer's Designated Employer Representative (DER).
  - h. Fail to cooperate with any part of the testing process.
  - i. Fail to follow an observer's instructions to raise and lower clothing and turn around during a directly-observed test.
  - j. Possess or wear a prosthetic or other device used to tamper with the collection process.
  - k. Admit to the adulteration or substitution of a specimen to the collector or MRO.
  - l. Refuse to sign the certification at Step 2 of the Alcohol Testing Form (ATF).
  - m. Fail to remain readily available following an accident.



4/2020

As a covered employee, if the MRO reports that you have a verified adulterated or substituted test result, you have refused to take a drug test.

- 4) An alcohol test result of  $\geq 0.02$  to  $\leq 0.039$  BAC shall result in the removal of the employee from duty for eight hours or the remainder or the work day whichever is longer. The employee will not be allowed to return to safety-sensitive duty for his/her next shift until he/she submits to a NONDOT alcohol test with a result of less than 0.02 BAC.
- 5) In the instance of a self-referral or a management referral, disciplinary action against the employee shall include:
  - a. Mandatory referral for an assessment by an employer approved counseling professional for assessment, formulation of a treatment plan, and execution of a return to work agreement;
  - b. Failure to execute or remain compliant with the return-to-work agreement shall result in termination from Sampson Area Transportation employment.
    - i. Compliance with the return-to-work agreement means that the employee has submitted to a drug/alcohol test immediately prior to returning to work; the result of that test is negative; the employee is cooperating with his/her recommended treatment program; and, the employee has agreed to periodic unannounced follow-up testing as described in Section P of this policy; however, all follow-up testing performed as part of a return-to-work agreement required under section Q of this policy is under the sole authority of Sampson Area Transportation and will be performed using non-DOT testing forms.
  - c. Refusal to submit to a periodic unannounced follow-up drug/alcohol test shall be considered a direct act of insubordination and shall result in termination. **All tests conducted as part of the return to work agreement will be conducted under company authority and will be performed using non-DOT testing forms.**
  - d. **A self-referral or management referral to the employer's counseling professional that was not precipitated by a positive test result does not constitute a violation of the Federal regulations and will not be considered as a positive test result in relation to the progressive discipline defined in Section Q of this policy.**
  - e. Periodic unannounced follow-up drug/alcohol testing conducted as a result of a self-referral or management referral which results in a verified positive shall be considered a positive test result in relation to the progressive discipline defined in Section Q of this policy.

147

4/2020

- f. A Voluntary Referral does not shield an employee from disciplinary action or guarantee employment with Sampson Area Transportation.
  - g. A Voluntary Referral does not shield an employee from the requirement to comply with drug and alcohol testing.
- 6) Failure of an employee to report within five days a criminal drug statute conviction for a violation occurring in the workplace shall result in termination.

## **R. GRIEVANCE AND APPEAL**

The consequences specified by 49 CFR Part 40.149 (c) for a positive test or test refusal is not subject to arbitration.

## **S. PROPER APPLICATION OF THE POLICY**

Sampson Area Transportation is dedicated to assuring fair and equitable application of this substance abuse policy. Therefore, supervisors/managers are required to use and apply all aspects of this policy in an unbiased and impartial manner. Any supervisor/manager who knowingly disregards the requirements of this policy, or who is found to deliberately misuse the policy in regard to subordinates, shall be subject to disciplinary action, up to and including termination.

## **T. INFORMATION DISCLOSURE**

- 1) Drug/alcohol testing records shall be maintained by the Sampson Area Transportation Drug and Alcohol Program Manager and, except as provided below or by law, the results of any drug/alcohol test shall not be disclosed without express written consent of the tested employee.
- 2) The employee, upon written request, is entitled to obtain copies of any records pertaining to their use of prohibited drugs or misuse of alcohol including any drug or alcohol testing records. Covered employees have the right to gain access to any pertinent records such as equipment calibration records, and records of laboratory certifications. Employees may not have access to SAP follow-up testing plans.
- 3) Records of a verified positive drug/alcohol test result shall be released to the Drug and Alcohol Program Manager, and other transit system management personnel on a need to know basis.

148

- 4) Records will be released to a subsequent employer only upon receipt of a written request from the employee.
- 5) Records of an employee's drug/alcohol tests shall be released to the adjudicator in a grievance, lawsuit, or other proceeding initiated by or on behalf of the tested individual arising from the results of the drug/alcohol test. The records will be released to the decision maker in the proceeding.
- 6) Records will be released to the National Transportation Safety Board during an accident investigation.
- 7) Information will be released in a criminal or civil action resulting from an employee's performance of safety-sensitive duties, in which a court of competent jurisdiction determines that the drug or alcohol test information is relevant to the case and issues an order to the employer to release the information. The employer will release the information to the decision maker in the proceeding with a binding stipulation that it will only be released to parties of the proceeding.
- 8) Records will be released to the DOT or any DOT agency with regulatory authority over the employer or any of its employees.
- 9) Records will be released if requested by a Federal, state or local safety agency with regulatory authority over Sampson Area Transportation or the employee.
- 10) If a party seeks a court order to release a specimen or part of a specimen contrary to any provision of Part 40 as amended, necessary legal steps to contest the issuance of the order will be taken
- 11) In cases of a contractor or sub-recipient of a state department of transportation, records will be released when requested by such agencies that must certify compliance with the regulation to the FTA.

This Policy was adopted by the *Sampson County Board of Commissioners* on *April 6, 2020*.

---

Chairman, Sampson County BOC

---

Date

**Attachment A**

<u>Job Title</u>	<u>Job Duties</u>	<u>Testing Authority</u>
Transportation Director		SAT (Non-DOT)
Transportation Supervisor		DOT-FTA
Transportation Office Manager		DOT-FTA
Administrative Support Specialist	Secretary/Receptionist	DOT-FTA
Administrative Support Specialist		DOT-FTA
Administrative Support Specialist		DOT-FTA
Transportation Drivers		DOT-FTA

## **Attachment B Contacts**

Any questions regarding this policy or any other aspect of the substance abuse policy should be directed to the following individual(s).

### **Sampson Area Transportation Drug and Alcohol Program Manager**

Name: Jeff Sawvel

Title: Transportation Supervisor

Address: 311 County Complex Rd. Building H Clinton, NC 28328

Telephone Number: 910-299-0127

### **Medical Review Officer**

Name: Dr. Martin DeGraw

Title: Doctor of Medicine/Certified Medical Review Officer

Address: 709 Simmons St. Goldsboro, NC 27530

Telephone Number: 919-735-0094

### **Substance Abuse Professional**

Name: Ms. Trina McDonald

Title: MS Professional Counseling, LCAS-A, NCAC II, SAP/DOT, SAE/NRC

Address: 1020 Rankin St. #412, Wilmington, Nc 28401

Telephone Number: 910-833-8624

### **HHS Certified Laboratory Primary Specimen**

Name: Alere Toxicology Services

Address: 1111 Newton St. Gretna, La. 70053

Telephone Number: 504-361-8989

### **HHS Certified Laboratory Split Specimen**

Name: Alere Toxicology Services

Address: 1111 Newton St. Gretna, La. 70053

Telephone Number: 504-361-8989

## **Preventive Maintenance Plan**

April 17, 2007

TO: Community Transportation Systems

FROM: NCDOT/PTD

SUBJECT: Maintenance Plan

Recipients must keep Federally funded equipment and facilities in good operating order.

Recipients must have a written maintenance plan. The maintenance plan should identify the goals and objectives of a maintenance program, which may include vehicle life, frequency of road calls, maintenance costs compared to total operating costs, etc. The maintenance program should also establish the means by which such goals and objectives will be obtained.

At a minimum, the plan should designate the specific goals and objectives of the program for preventive maintenance inspections, servicing, washing, defect reporting, maintenance-related mechanical failures, warranty recovery, vehicle service life, and vehicle records. The program must address the particular maintenance cycles for each capital item.

Recipients must have records showing when periodic maintenance inspections have been conducted on vehicles and equipment. Include information showing that the periodic maintenance program meets at least minimum requirements of the manufacturer.

Maintenance of ADA elements may be incorporated in the regular maintenance plan or addressed separately. At a minimum, the grantee must demonstrate that such features as lifts, elevators, ramps, securement devices, signage, and communications equipment are maintained and operational. The recipient is required to develop a system of maintenance checks for lifts on non-rail vehicles to ensure proper operation. Additionally, a recipient is required to remove an accessible van with an inoperable lift from service before the next day, unless no spare vehicles are available to replace that vehicle. When a vehicle with an inoperable lift is operated, the vehicle must not be in service for more than five days.

Recipients must keep written maintenance plans and checklist systems, as well as maintenance records for accessible equipment.

Recipients are required to maintain systems for recording warranty claims and enforcement of such claims. Recipients should have written warranty recovery procedures. The warranty recovery system should include warranty records and annual summaries of warranty claims submitted.

Federally funded equipment needs to be maintained whether operated directly by a recipient or by a third-party contractor. When a recipient has contracted out a portion of its operation, a maintenance plan for Federally funded equipment should be in existence and be treated

similarly to a recipient-operated service. In those cases, the third-party contractor must have in place a system to monitor the maintenance of federally funded equipment.

## **PREVENTIVE MAINTENANCE STANDARDS**

All vehicles, wheelchair lifts and associated equipment, system owned or operating under contract with the system, is placed on a comprehensive preventive maintenance program for the purpose of *increasing safety and reducing operational costs*.

### **The Preventive Maintenance Plan should consist of:**

- Making preventive maintenance arrangements
- Conducting a Pre/Post-Trip Inspection course for driver
- Completing a corresponding inspection checklist
- Maintaining a combined Public Transportation Management System (PTMS), and a comprehensive maintenance record on file for each vehicle
- Completing statistical reporting
- Reporting common problems
- Utilizing manufacturers Preventive Maintenance Guidelines Manual
- Keeping all maintenance records for the life of the vehicle to include three (3) years after disposition

\*Note: The Preventive Maintenance Program has been developed for the purpose of safety, reliability and vehicle use longevity. The guidelines are not designed to interfere with or violate the Manufacturer's Warranty Maintenance Schedule.

## **MAINTENANCE RECORDS POLICY**

Sampson Area Transportation will retain all records pertaining to maintenance, service, warranty and other documents as required for vehicles and wheelchair lifts. The records should be maintained for at least the life of the vehicle which includes three (3) years after the vehicle's disposal.

### **Maintenance Records Include:**

- Documents showing vehicle identity
- Documents showing vehicle and wheelchair lift completed maintenance and inspection dates
- Documents showing mileage
- Documents identifying the contractor that provides non-owned vehicles
- Documents showing maintenance contractors' names and addresses
- Vehicle Accident Reports
- Documents reporting and evaluating maintenance systems
- A copy of the document notifying NCDOT of a fatal accident by the close of business or the end of the working day
- A copy of the document notifying NCDOT within 24 hours of a fatal death that occurs within 30 days as a result of an accident
- Documents that report to NCDOT within 48 hours all accidents/incidents
- Documents showing completion of the driver's daily Pre/Post-Trip Inspection Checklists\*



**\* maintain for life of the vehicles plus three (3) years after disposition**

## **ANNUAL PTMS INSPECTION**

Form must be completed and maintained with vehicle maintenance records.

Date: \_\_\_\_\_

Vehicle: \_\_\_\_\_

Wheelchair Lift Cycle Reading: \_\_\_\_\_

Odometer Reading: \_\_\_\_\_

Inspector: \_\_\_\_\_

### **Inspection Key**

For Each Item

OK =OK

"X" = Adjusted

"0"= Repairs Are Necessary

For Each "0" Give an Explanation

### **Body**

\_\_\_ Check windshield and other glass for cracks/damage

\_\_\_ Check wheels for cracks/damage

\_\_\_ Interior and exterior decals, signs, numbers (ex: railroad crossing, no turn on red, etc...)

\_\_\_ Body damage

\_\_\_ Destination signs for proper operation (Front, Rear, Back)

\_\_\_ General physical condition of the vehicle

\_\_\_ System name completely spelled out (10' letters) and condition

\_\_\_ Sign identifying the vehicle as "Available for Public Use" if required

## **ONBOARD SAFETY EQUIPMENT**

The following items have been placed in all vehicles:

**Seat Belts** - An adjustable driver's restraining belt that complies with FMVSS 209 (Seat Belt Assemblies) and FMVSS 210 (Seat Belt Anchorages) regulations

**Fire Extinguisher** - Include a fully-charged dry chemical or carbon dioxide fire extinguisher that has at least a 1A:BC rating and bears the Underwriter's Laboratory, Inc. label. The extinguisher should be accessible and must be securely mounted in a visible place or a clearly marked compartment.

**Red Reflector** - Vehicles should be equipped with three (3) portable red reflector warning devices in compliance with North Carolina Statutes. The triangle case must be mounted to the vehicle.

**Web Cutter** – Must be visible and easily accessible by the vehicle driver.

**Bloodborne Pathogen Kit** – Kit includes disposable gloves for your hands, disinfectant spray for decontamination of any spill, paper towels for clean up, absorbent powder for clean up, approved bags & containers for proper disposal, dust pan, brush and tongs for handling sharps items, mouth and nose mask and disinfectant towelettes for immediate hand cleaning)

**First Aid Kit** – Kit should consist of the following items:

Bandage Compress	Sting, Kill Swabs
Gauze Pads	Instant Cold Pack
Triangular Bandages	Sterile Buffered Isotonic Eyewash Kit
Gauze Bandages	Adhesive Bandages
Triple Antibiotic Ointment	Adhesive Tape
CPR Micro-shield Rescue Breather & Gloves	Disposable Gloves
Rescue Blanket	Bum Spray
Alcohol Wipes	Scissors

### **Optional On-board Safety Response Equipment**

- 5 Emergency Notification Cards
- 1 pry bar
- 1 reflective vest
- 1 flashlight and a set of extra batteries
- 1 set of jumper cables
- 1 spare tire plus appropriate jack and lug wrench
- 1 camera (with film that is replaced with new film every six months)

## **PREVENTATIVE MAINTENANCE PLAN**

### **Introduction:**

Preventative maintenance describes regularly scheduled maintenance procedures, which are performed to prevent vehicle malfunctions and breakdowns. Preventative maintenance will help keep vehicles on the road. An organized program of inspections, scheduled service, and immediate adjustments or repairs will increase safety, increase the service life of the vehicles, and keep mechanical failures to a minimum. By administering a preventative maintenance program, the system should also save money on repairs through proper and repetitive inspection.

### **Daily/Weekly Vehicle Inspection:**

Pre/Post-trip inspections are crucial to the success of Sampson Area Transportation's Preventative Maintenance Program. Each driver will inspect his or her vehicle before leaving the parking area by completing the Pre-Trip Vehicle Inspection Form. The completed checklist must be submitted to the Transportation Supervisor at the end of the driver's shift so that necessary maintenance can be noted and scheduled accordingly. Drivers must sign each checklist for each vehicle used that day. This report identifies checks for the following items:

- ❖ Visual Tire Check
- ❖ Windshield, Mirrors, Head/Taillights
- ❖ Oil
- ❖ Dashboard gauges
- ❖ Fuel Level
- ❖ Heat/Air Operational
- ❖ Turn/Hazard Lights
- ❖ Brakes/Brake Lights
- ❖ Seatbelts
- ❖ Engine Noise
- ❖ Radiator Coolant
- ❖ Transmission Fluid
- ❖ Strap/Tie-down Inspection

### **Under the Hood**

Check for problems under the hood at the beginning of your inspection before starting the engine. It is easier and safer when the engine is cool.

Check the oil, radiator and battery fluid levels. If low, make a note of it on your inspection checklist. If any fluids are below the safe level, see the Office Manager for assistance.

Also, check hoses for cracks or possible leaks and belts for any visible damage. Report any wear on the checklist, as soon as it begins to show.

### **Vehicle Interior**

Since you will need to leave the vehicle compartment while the vehicle is running, it is a good idea to put chocks behind the wheels before starting the motor.

Begin while seated behind the steering wheel.

First, put on the parking brake.

Then, turn on the ignition.

Check the oil pressure, fuel and alternator gauges.

If the oil pressure light stays on or the gauge shows the oil pressure to be dangerously low, turn the motor off until the problem can be corrected. Alert the coordinator and document on your pre-trip inspection form.

If the alternator or generator light stays on, the battery may not be charging. To guard against the possibility of becoming stranded along the route by a dead battery, have the problem located and corrected right away.

Check the windshield wipers to make sure they are working and not worn or stripped.

## Vehicle Exterior

Turn on all exterior lights. With the vehicle in park and the emergency brake still on, begin the exterior check from the front of the vehicle.

During the exterior inspection, be sure to note and report any evidence of fresh damage to the vehicle. Reporting such damage now may save you a lengthy and difficult explanation or report later. Space is provided for you on the Daily Vehicle Inspection Checklist to note and describe any exterior damage.

Check the headlights, signal lights, emergency flashers and clearance lights to make sure they are working. (You may need a co-worker's assistance).

Check the left front tire for any signs of road damage or under-inflation.

Check the air pressure with an air pressure gauge.

Take care to maintain your tires at the recommended pressure.

A soft tire is very susceptible to severe road damage.

An over-inflated tire causes a bumpier and less comfortable ride, especially for elderly or disabled passengers.

Check the condition of the side marker light.

Move to the back of the vehicle and inspect the rear left tire or duals for obvious damage.

Check the air pressure with an air pressure gauge.

While at the back of the vehicle, check the taillights, the brake lights, turn signal lights, emergency flashers and any other clearance lights, reflectors or signs. (This will require assistance).

Make sure they are free of mud and dirt buildup.

Carry a rag with you to clean any dirty lights, which may be hard to see even after dark.

Check the right rear tire. If there are any other lights or outside signs for your boarding doors or lifts, make sure they are in place and clean.

Next, look under the vehicle. Make sure there are no foreign or unfamiliar objects hanging down or wedged underneath.

Also, check to see if there are any puddles or vehicle fluids under the vehicle. If the vehicle is leaking fluid, report it to your supervisor.

Move to the front of the vehicle and examine the right front tire in the same manner as the left tire and check the condition of the side marker light.

Adjust each of your mirrors so that you can see what you need to see from your normal driving position. When you are adjusting your mirrors, keep in mind what you want to be able to see within your safety zone.

Test your horn to make sure it works.

Turn the steering wheel gently to make sure it is not loose.

Push on the brake pedal. If the tension feels spongy or soft, note this on your checklist. Your brakes may need to be adjusted.

Check the blower fan to see if it works so you'll be able to use the heater, defroster or air conditioner.

Check the interior lights. If any lights are not working, note this on your checklist.

Note on your checklist anything in the interior of the vehicle that needs attention.

## **Safety Equipment**

Check your emergency equipment to make sure it is in the right location and in working order.

Emergency equipment should include:

- A properly charged fire extinguisher
- Warning devices such as cones, triangles, flares
- A first aid kit
- Extra fuses
- A flashlight with fresh batteries
- Blood Borne Pathogens Kits

Look around the inside of your vehicle to make sure it is clean. Clear out trash, debris or loose items. Trash or debris left in the vehicle can be tossed about by careless passengers and can cause slips, falls and fires. A clean vehicle presents a professional image.

Check any special accessibility equipment if your vehicle is so equipped.

Examine tie downs for signs of damage or excessive wear. Make sure they can be properly secured to the floor.

Check all lifts and ramps by operating them through one complete cycle. Make sure they are functioning properly. (You may have to move the vehicle to ensure proper clearance while performing this part of the inspection.)

Make sure all doors and emergency exits are functional and unobstructed.

The Pre-Post Trip Inspection sheet utilized by SAT is on Excel and will not post in this file. This is a weekly sheet, to cut back on the amount of paperwork. It covers all the items needed and was approved by NCDOT the end of 2009. If there are any items that are not in the van, or any maintenance that needs to be done, the driver is to notate the problem, give it to the program assistant, who in turn, will notate the corrective action taken.

Also, there are spaces available to verify that the vehicle has been cleaned both inside and outside. Drivers are told to report any malfunction or problem directly to the Program Assistant and document that on the pre/post trip inspection sheet. Once a problem has been reported, the Program Assistant checks for the problem, and then an immediate appointment is made with the garage.

Each SAT vehicle is assigned a number (which is the last 4 digits of the vehicle) by the Transportation Supervisor. The phone number and facility name are put on the vehicles when purchased.

Every transit driver is responsible for ensuring that periodic maintenance is performed on the vehicle assigned to him/her at Sampson Area Transportation. The transit driver will indicate on the Pre-Trip Inspection Form when the vehicle is within 500 miles of the next scheduled service.

In the event of a mechanical failure while the vehicle is in service, the driver will call the Transportation Office Manager to report the need for service. The Transportation Office Manager will contact the maintenance provider during normal business hours or the wrecker service at other times.

### **Scheduling Maintenance:**

Maintenance schedules are based on recommended mileage intervals of the manufacturer. Some vans may be scheduled for a preventative maintenance (PM) service every two months while others are scheduled monthly based solely on miles driven. A checklist is provided to the garage for all PM services. The mechanic checks off on all services performed. The garage is given a copy of the schedules as well as the individual drivers. Vans that need immediate service are taken out of service and scheduled as soon as possible.

Sampson Area Transportation values the importance of preventative maintenance for our vehicles. In utilizing a new maintenance program (Assetworks), SAT is changing a few of the items in the System Safety Program Plan. All maintenance will be scheduled and documented through Assetworks. The Program Assistant is in charge of maintaining that database and all training needed in utilizing the software.

The North Carolina Department of Transportation/Public Transportation Division has required that all systems utilize the same maintenance program. There are three (3) types of preventative oil change programs that are to be used. Oil changes are done every 5000 miles. The Program Assistant and the individual drivers will keep track of the mileage on the vans. The Program Assistant will provide a work order for all maintenance on the vans, including the oil changes. There are three (3) different oil change schedules, which will be listed as A,B, and C. The details for each are as follows:

- (A) Engine oil filter change; Rotate tires (if needed); Wheels (check lug nuts, rims, and axle bolts); Tire air pressure, condition, and tread depth; Brake fluid; and windshield fluid.

- (B) Includes all of A plus; coolant level, water hoses, airlines, wires; check battery and cables; air filters; power steering fluid; transmission fluid and filter.
- (C) Includes A and B plus; chassis lubrication; belts; engine tune-up (as needed); transmission flush (as needed); diagnostic testing; annual state inspection (as needed).

These will be done in a sequence; A,A,B,A,A,C.

# PM CHECKLIST

CLASS\_CLASS\_CODE =  
SAT-VAN-PM CLASS

SAT-VAN-PM CLASS, A	
PM Task	Description
PMHBI13	ROTATE TIRES IF NEEDED
PM-ACTS028	CHANGE ENGINE COOLANT
PM-3M-00	***** PERFORM SAFETY EQUIPMENT INSPECTION *****
PM-ACTS031	INSPECT EXHAUST SYSTEM & HEAT SHIELDS
PM-ACTS140	CHECK TRANSMISSION FLUID AND FILTER
PM-ANU-17	EMERGENCY BRAKE
PM-ANU-21	CLEARANCE LIGHTS (BUSES; TRUCKS; TRAILERS)
PM-ANU-26	PCV VALVE
CHPM-0012	SUSPENSION
CHPM-0029	CK ENGINE MOUNTS AND ENGINE CRADLE
CHPM-0036	CK FRONT AND REAR BRAKE CONDITION CK ROD TRAVEL AND NOTE
CHPM-0039	INSP R BRAKE COMPONENTS FOR DAMAGE OR WEAR
PM035	ENGINE OIL FILTER CHANGE
CHPM-0040	INSP F BRAKE COMPONENTS FOR DAMAGE OR WEAR
CHPM-0054	CK ALL CHASSIS COMPONENTS FOR DEFECTS
CHPM-0077	CK DIFFERENTIAL FLUID LEVEL ADJUST AS NEEDED
CHPM-0076	CK FRAME - BODY MOUNTS
CHPM-0130	GENERAL DASH AREA
PM042	WHEELS: LUGS - RIMS AND AXLE BOLTS
CHPM-0162	CHANGE-CLEAN HTR-AC FILTERS
PM043	TIRE AIR PRESSURE; CONDITION; TREAD DEPTH
CHPM-0204	CK ALL WINDOWS FOR DEFECTS - NOTIFY SUP IF DEFECTS FOUND
CHPM-0217	CK GENERAL BODY AND PAINT OF INTERIOR
CHPM-0316	FUEL LEAKS
PM075	BRAKE FLUID
CHPM-0264	BATTERY-TRAYS-COMPARTMENT
PM076	WINDSHIELD WASHER FLUID
CHPM-0303	DRIVE BELTS-PULLEYS-IDLERS
CHPM-0391	REPLACE ALL PARTS THAT ARE LEAKY OR DAMAGED.
SAT-VAN-PM CLASS, ANNUAL	
PM Task	Description
PM-ANU-01	MIL INDICATOR BULB
PM-ANU-02	DLC (DIAGNOSTIC LINK CONNECTOR)
PM-ANU-03	COMMUNICATION ESTABLISHED

PM-ANU-04	MIL COMMAND ON
PM-ANU-05	MIL INDICATOR BULB
PM-ANU-06	HEADLIGHT
PM-ANU-07	PARKING LIGHT
PM-ANU-08	TAIL LIGHTS
PM-ANU-09	BEAM INDICATOR LIGHT/SWITCH
PM-ANU-10	LICENSE PLATE
PM-ANU-11	STOP LIGHTS
PM-ANU-12	DIRECTIONAL SIGNALS
PM-ANU-13	HORN
PM-ANU-14	WINDSHIELD WIPER
PM-ANU-15	REAR VIEW MIRROR
PM-ANU-16	FOOT BRAKE
PM-ANU-17	EMERGENCY BRAKE
PM-ANU-18	STEERING MECHANISM
PM-ANU-19	TIRES
PM-ANU-20	EXHAUST SYSTEM
PM-ANU-21	CLEARANCE LIGHTS (BUSES; TRUCKS; TRAILERS)
PM-ANU-22	REFLECTORS
PM-ANU-23	WINDOW TINTING VISBLE LIGHT TRANSMISSIOM. 35% TOLARANCE
PM-ANU-24	CATALYTIC CONVERTER
PM-ANU-25	AIR INJECTION SYSTEM (AIS)
PM-ANU-26	PCV VALVE
PM-ANU-27	UNLEADED GAS RESTRICTOR
PM-ANU-28	EXHAUST GAS REGULATOR (EGR)
PM-ANU-29	THERMOSTATIC AIR CONTROL (TAC)
PM-ANU-30	FUEL EVAPORATON CONROL
PM-ANU-31	OXYGEN (O2) SENSOR

### SAT-VAN-PM CLASS, B

PM Task	Description
PM006	BRAKES: PEDAL TRAVEL- BRAKE FLUID LEAKS AND STOPPING ABILITY
PM028	COOLANT LEVEL
PMHBI13	ROTATE TIRES IF NEEDED
PM029	FLUID LEAKS
PM002	LIGHTS- SWITCHES- HORN- WIPERS- DOORS
PM027	WATER HOSES- ELECTRICAL WIRES- AIR LINES- HYDRAULIC LINES
PM024	CHECK BATTERY CABLES HOLD DOWNS AND BOOTS
PM035	ENGINE OIL FILTER CHANGE
PM078	BRAKE INSPECTION
PM030	AIR CLEANER FILTER; CLEAN OR REPLACE
PM037	POWER STEERING FLUID LEVEL
PM042	WHEELS: LUGS - RIMS AND AXLE BOLTS
PM075	BRAKE FLUID
PM076	WINDSHIELD WASHER FLUID
PM141	TRANSMISSION FLUID AND FILTER
PM147	DIAGNOSTIC TESTS
PM095	FRONT- AND REAR BRAKE PADS

### SAT-VAN-PM CLASS, C

PM Task	Description
PM006	BRAKES: PEDAL TRAVEL- BRAKE FLUID LEAKS AND STOPPING ABILITY
PM007	SEATS- SEAT BELTS- WHEELCHAIR RESTRAINTS (IF APPLICABLE)
PM028	COOLANT LEVEL
PM033	DIFFERENTIAL FLUID LEVEL



PM018	CHASSIS LUBRICATION
PM035	ENGINE OIL FILTER CHANGE
PM036	BELTS: TENSION AND WEAR. A/C: _____ LBS.
PMHBI13	ROTATE TIRES IF NEEDED
PM037	POWER STEERING FLUID LEVEL
PMSAC50	ENGINE TUNE-UP
PM042	WHEELS: LUGS - RIMS AND AXLE BOLTS
PM043	TIRE AIR PRESSURE; CONDITION; TREAD DEPTH
PM075	BRAKE FLUID
PM076	WINDSHIELD WASHER FLUID
PM084	LUBRICATE HINGES
PM141	TRANSMISSION FLUID AND FILTER
PM095	FRONT- AND REAR BRAKE PADS
PM098	DIFFERENTIAL FLUID
PM148	TRANSMISSION FLUID FLUSH

**Records:** When a vehicle completes maintenance work, the driver signs off on the bill. A copy is given to the driver, who will give it to the Office Manager. At that time, the original is given to the Financial Manager and a copy is filed in the Maintenance Logbook. This is done by either the Office Manager or Transportation Supervisor. Files are not currently kept in the computer; they are kept in a single binder. Every vehicle has a section in the binder. There is a cover sheet for each section. The cover sheet contains the date of work, mileage, and what was done. This is also initialed by the person completing the form. The bill is then filed in order behind the cover sheet. Records are also kept by the garage.

## Vehicle Lift Maintenance Policy

Vans with inside lifts will be serviced to the manufacturer's recommendations. The newer vans have an electronic counter, so service can be done on a per cycle plan. Older vans, with outside lifts, will have basic preventative maintenance till they have met useful lift and disposed. The schedule for the older vans is as follows:

Every 2 weeks or 100 cycles with light oil as needed:

- Outboard roll stop hinge
- Roll stop latch
- Fold actuator pivot points
- Bridge Plate/Pins
- Platform fold axles
- Horseshoe pivot points
- Handrail pivot points
- Inspect lift for rattles

This part can be done with the SAT staff or current vendor. For all other wheelchair service work, a certified Braun technician will provide the work. All lifts will be serviced every 750 cycles or every 3 months for those lifts without counters, abiding by the manufacture's suggestions for preventative maintenance. SAT will be billed for the work and a copy of that will be placed in the vehicle maintenance binder for documentation. Drivers are required to cycle the lift one time on the pre/post trip inspection sheet. Any problem is to be noted on that

form and immediately discussed with the Office Manager. Correct any potentially dangerous situations at once.

For the 750-cycle maintenance, the following shall be done:

- Change Pump Oil
- Inspect and replace pins, slots, lever, bearings as needed
- Check lift mount to make sure it is securely anchored
- Inspect cylinder, chains, bearings, hoses, and wiring

# GENERAL SECURITY POLICY

## **Purpose**

The overall purpose of Sampson Area Transportation's Security Program is to optimize -- within the constraints of time, cost, and operational effectiveness -- the level of protection afforded to Sampson Area Transportation's vehicles, equipment, facilities, passengers, employees, volunteers and contractors, and any other individuals who come into contact with the system both during normal operations and under emergency conditions. The Transportation Director will serve as the accountable executive, and the Transportation Supervisor serves as the designated Safety Officer for the transportation department.

The security of passengers and employees is paramount to promoting the objectives of FTA, NCDOT and their partner organizations in developing a Security Program. Sampson Area Transportation will take all reasonable and prudent actions to minimize the risk associated with intentional acts against passengers, employees and equipment/facilities. To further this objective, Sampson Area Transportation has developed security plans and procedures and emergency response plans and procedures. The plans have been coordinated with local emergency services which addresses the conduct of exercises in support of their emergency plans, and assessment of critical assets and measures to protect these assets.

The Sampson Area Transportation General Security Policy has 4 main goals:

1. The Security Program's number one goal is the protection and safety of system employees, passengers, vehicles and equipment.
2. Ensure that security and emergency preparedness are addressed during all phases of system operation, including the hiring and training of agency personnel; the procurement and maintenance of agency equipment; the development agency policies, rules, and procedures; and coordination with local public safety and community emergency planning agencies.
3. Promote analysis tools and methodologies to encourage safe system operation through the identification, evaluation and resolution of threats and vulnerabilities, and the on-going assessment of agency capabilities and readiness.
4. Create a culture that supports employee safety, equipment/facility protection and security and safe system operation (during normal and emergency conditions) through motivated compliance with agency rules and procedures and the appropriate use and operation of equipment.

While every threat cannot be identified and resolved, Sampson Area Transportation can take steps to be more aware, to better protect passengers, employees, facilities and equipment, and to stand ready to support community needs in response to a major event. For this purpose, our Security Program has five objectives:

1. Achieve a level of security performance and emergency readiness that meets or exceeds our requirements.
2. Increase and strengthen community involvement and participation in the safety and security of our system.
3. Develop and implement a vulnerability assessment program, and based on the results of this program, establish a course of action for improving physical security measures and emergency response capabilities.
4. Expand our training program for employees, volunteers and contractors to address security awareness and emergency management issues.
5. Enhance our coordination with NCDOT/PTD regarding security and emergency preparedness issues.

Sampson Area Transportation will implement security plans and training from NCDOT and local law enforcement. Following are additional security items:

1. Provide a proactive, prevention-oriented approach to security.
2. Current thinking regarding bus/van transit security emphasizes the importance of identifying potential threats and areas of vulnerability, developing approaches that will minimize those threats and vulnerabilities and demonstrating a clear and proactive approach to security.
3. Maintain that Sampson Area Transportation is responsible for the protection of its passengers, personnel, and facilities.
4. Forging a strong working agreement with all law enforcement agencies.
5. Have quarterly security meetings with office staff and drivers. Any security issues or updated training opportunities will be discussed in this meeting.
6. Input a security section to the TAB quarterly agenda to discuss with the TAB members.
7. The radio base on all vans is monitored by the Sampson County Emergency Management Office. This allows constant contact with both the office and the emergency response team.
8. Work with Sampson County Emergency Management to train drivers on emergency evacuations and passenger/driver security. These will be documented in the Drivers Training Individual Logs. Also, training in the Defensive Driving class will touch on sections dealing with passenger security.

### **Management and Accountability**

This policy was written by the Director and the Transportation Supervisor based on local emergency plans, NCDOT Security Template and FTA's items listed as good security practices identified through FTA's Security Assessments and technical Assistance provided to the largest transit agencies.

Sampson County Board of Commissioners adopted the Sampson County Emergency Operations Plan on August 1999 as a regulation as guidance to provide for the protection of the residents of Sampson County. This plan outlines the coordinated actions to be taken by the County Officials and local agencies to protect lives and property in natural or manmade disasters.

Sampson Area Transportation is a participating agency within this plan and follows the guidelines and direction of the local Emergency Management System. Security responsibilities are defined and delegated from management through to the front-line employees.

### **Security Problem Identification**

Sampson Area Transportation uses a workplace security assessment form annually to identify potential security issues.

Sampson County local government has quarterly safety committee meetings. If issues are present, they are sent to the County Manager and then will be addressed with Department Heads. In turn issues will be addressed and policy changes made.

An annual review of all policy and procedures will be conducted by management and addressed with Transportation Advisory Board and then sent for approval by the Board of Commissioners.

### **Employee Selection**

Background investigations are conducted on all new employees prior to employment. Background investigation includes criminal history, motor vehicle records and pre-employment drug testing.

### **Training**

1. Security orientation and awareness materials are provided to all employees.
2. Ongoing training programs on safety, security and emergency procedures by work area are provided quarterly.
3. An Information Bulletin Board is in the driver's lounge with safety/security information. The Operations Supervisor will update this board as often as information is made available, but at least quarterly.

### **Audits and Drills**

1. An annual review of all policy and procedures will be conducted by management and addressed with Transportation Advisory Board and then sent for approval by the Board of Commissioners.
2. Emergency Disaster drills are conducted by the local Emergency Management Office. Sampson Area Transportation participates in these drills.
3. One on one evaluation with drivers to review security measures and practices are done annually.

### **Documents and Access Control**

1. All computers are password protected. These passwords are kept in a locked file cabinet.
2. Any other safety documents will be kept in a locked file cabinet.

3. All visitors, contractors, other county employees and delivery personnel are required to check in to the lobby and are escorted to Supervisor and/or Office Manager if needed.
4. Transit Vehicle keys are kept in the Administrative Assistants office, and driver's must sign out the keys before beginning their shift.
5. After hours the facility is locked, and grounds protected by a locked fence. Lighting around facility is also used.
6. The County Complex is regularly controlled by the local Sheriff's Department.

### **Unauthorized Access to Computers/Records Policy**

Sampson Area Transportation utilizes personal information to transport clients. When a client applies for transportation, an intake form is processed. Information such as birthday, address, Social Security Number, and directions are asked of the client and entered on the intake form and the scheduling computer software. The reason for this policy is to set forth guidelines to prevent unauthorized access to or destruction of these records. Financial records are kept in the Operations Supervisor office or the secretary's desk. SAT will also follow the county's "red flag" policy as well as allowing records to be available pursuant to the NC Public Records law.

All hard-copy intake forms are stored in the Office Manager's office. Drivers and office staff have access to the records for work purposes only. Examples would be to get addresses or directions, to see what programs the client is eligible for, to look up an emergency contact person, or any other valid reason. Under no circumstances shall any personal information be used for reasons that are not directly related to providing transportation to clients. Computer usage is restricted to the Supervisor, Office Manager, and the secretary. The software for scheduling is password protected. SAT retains all financial records for a minimum of five years. These records are placed in filing boxes, sealed and stored in appropriate areas of the Sampson Area Transportation building which are not accessible to the general public. Disposal of those records is through the process of shredding or burying them at the county landfill; after permission has been given by the Sampson County Board of Commissioners.

### **Homeland Security**

1. The Emergency Operations Director will be responsible for the communication of any information from the Office of Homeland Security. This information will be distributed to Board of Commissioners, County Manager, Department Heads and then to all other personnel.

### **Opening and Closing Procedures**

Monday through Friday AM—the Scheduler arrives between 4:30am to 5:00am to open the building and the gates to the parking lot. Scheduler checks messages for any cancellations and begins the operational aspects of transportation. Drivers and passengers are aware that Office Manager is in the office and can call on the phone or radio for any reason.

Monday through Friday PM - the Supervisor is in the office until 5pm. If there are any vans still out on the road, the supervisor contacts these vans, tells them to call on the radio if need be, asks how long until they are off the road, and any other information needed. The supervisor checks the office and grounds, turns off office lights, locks doors, and locks the gate (drivers who are still out have gate keys). If the supervisor is off work due to vacation or sick time, the receptionist is required to stay until 5 PM and makes the same rounds dealing with building and lot security.

All drivers and office staff are responsible for ensuring that the lot and building are secure at all times. The office manager will do a “walk-through” of the building and grounds daily (weather permitting). The operations manager, or the last driver to leave, will ensure the building and gates are locked, vans are accounted for, and no other security issues are lacking.

If an employee is at the office or on the road after business hours, the driver will have the home telephone numbers of the operations supervisor and office manager. The driver is to call for any emergency, no matter how small, and inform either administrative staff person they contact. At any time, the driver can make a decision to call 911 or the Sheriff’s office.

**Vehicles:** All Sampson Area Transportation vehicles shall remain locked when not on the road or being used. The driver shall be responsible for keeping the keys once their shift has begun. Each driver should do a quick “walk-around” before starting the van, while doing the pre/post trip inspection sheet. Any items that may cause a security breach should be immediately reported to the office and/or law enforcement.

**General Workplace Security:** All drivers and office staff are instructed to report any suspicious persons, activities, packages, and/or unusual circumstances immediately. The employee should make a sound decision to either report to the Director or Transportation Supervisor, or to immediately call 911 if the employee feels that the situation warrants such action.

**SAMPSON AREA TRANSPORTATION  
WORKPLACE SECURITY ASSESSMENT FORM**

**Facility (Worksite):** \_\_\_\_\_

Location: \_\_\_\_\_

Date: \_\_\_\_\_

Inspection No.: \_\_\_\_\_

Describe the physical layout of the establishment. Indicate its location to other businesses or residences in the area and access to the street. \_\_\_\_\_

\_\_\_\_\_

Number/gender of employees on-site between 10 p.m. and 5 a.m. \_\_\_\_\_

Describe nature and frequency of client/customer/passenger/other contact: \_\_\_\_\_

\_\_\_\_\_

Yes    No

       Are cash transactions conducted with the public during working hours? If yes, how much cash is kept in the cash register or in another place accessible to a robber? \_\_\_\_\_

Yes    No

       Is there safe or lockbox on the premises into which cash is deposited?

What is the security history of the establishment and environs? \_\_\_\_\_

\_\_\_\_\_

What physical security measures are present? \_\_\_\_\_

\_\_\_\_\_

Yes    No

       Has security training been provided to employees? If so, has the training been effective?



**SAMPSON AREA TRANSPORTATION  
Security Incident Recording Form**

Date of Incident: \_\_\_\_\_

Time of Incident: \_\_\_\_\_ AM/PM

Location: \_\_\_\_\_

# of Fatalities: \_\_\_\_\_ # of Injuries: \_\_\_\_\_

Property Damage Estimate: \$ \_\_\_\_\_

**Type of Security Incidents:** *Check all that apply.*

- |               |                          |             |                          |                                |                          |
|---------------|--------------------------|-------------|--------------------------|--------------------------------|--------------------------|
| Homicide      | <input type="checkbox"/> | Burglary    | <input type="checkbox"/> | Motor Vehicle Theft            | <input type="checkbox"/> |
| Forcible Rape | <input type="checkbox"/> | Bombing     | <input type="checkbox"/> | Chemical or Biological Release | <input type="checkbox"/> |
| Robbery       | <input type="checkbox"/> | Arson       | <input type="checkbox"/> | Aggravated Assault             | <input type="checkbox"/> |
| Hijacking     | <input type="checkbox"/> | Bomb Threat | <input type="checkbox"/> | Kidnapping                     | <input type="checkbox"/> |
| Other         | <input type="checkbox"/> | _____       |                          |                                |                          |

**Description of Incident:** *Attach law enforcement report(s) if available.*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Recorded By: \_\_\_\_\_ Date: \_\_\_\_\_

Title: \_\_\_\_\_ Phone #: \_\_\_\_\_

## Operator Training Lesson Plans

### **FACILITY**

- 1) Tour of SAT facilities
  - a) Designated parking area(s)
  - b) Designated tobacco area(s)
- 2) Introduction of Sat administration and staff.

### **ADMINISTRATION**

- 1) Administrative Policies and Procedures
  - a) General Rules and Conduct Policy
  - b) Call in Procedure
  - c) Leave Policy and Procedures
  - d) Benefits
  - e) Time off Request
  - f) Key Policy
  - g) Fuel Card Policy
- 2) Uniforms
  - a) Dress Code Policy
  - b) Reflective Vest
- 3) Time Sheet
  - a) Correct time sheet procedures
  - b) Time sheet Form
- 4) Employee Handbook
  - a) Employee Handbook Form.
- 5) Evaluation

All employees have a 90 day (3 month) probationary period

  - a) 90 day (3-month review)
  - b) Annual Review
- 6) Harassment
  - a) Harassment Policy
  - b) Harassment Form

## **AMERICANS WITH DISABILITY ACT (ADA)**

### 1 hour required classroom training

- 1) Overview of Americans with Disability Act
  - a) ADA Government website
  - b) National RTAP ADA Training
- 2) Passenger Relations
  - a) Definitions
  - b) Basic Passenger Relations Skills
  - c) Driver Sensitivity Skills
  - d) Understand Disabilities
  - e) Different, Difficult, and Danger Passenger PowerPoint
- 3) Wheelchair Securement and Passenger Assistance
  - a) Braun Loading Video
    - i) Wheelchair Handling
    - ii) Wheelchair Lift Operation
    - iii) Wheelchair Lift Inspection
  - b) Wheelchair Securement Test
- 4) Proper SAT Wheelchair Procedures
  - a) Lift Operations
  - b) Loading and Unloading of a wheelchair
  - c) Wheelchair securement
- 5) National RTAP 2 The Point Training

## **GENERAL**

- 1) Child Safety Securement
  - a) Law G.S 20-137.1
  - b) Safety Kids USA
  - c) SAT policy and procedures
- 2) Vehicle Backing
  - a) SAT backing PowerPoint
  - b) SAT backing policy and procedure

- 3) Railroad Crossings
  - a) SAT policy and procedures
- 4) Electronic Devices
  - a) SAT policy and procedures
  - b) Accident Facts
  - c) Electronic Device Form
- 5) Fare Policy
  - a) SAT policy and procedures

## **ILLEGAL DRUG USE**

- 1) SAT Drug and Alcohol Policy
  - a) Purpose
  - b) Applicability
  - c) Definitions
  - d) Education and Training
  - e) Prohibited Substances and Conduct
  - f) Testing Requirements
  - g) Drug Testing Procedures
  - h) Alcohol Testing Procedures
  - i) Forms of Testing
  - j) Professional Assistance
- 2) Video- Drug Free World
- 3) Sign Off

## **INFECTIOUS DISEASES AWARENESS AND PREVENTIONS \**

- 1) Infectious Disease Policy and Procedures
  - a) Overview of OSHA Standard
  - b) Blood Borne Pathogen Kit
  - c) Hazardous Material cleanup
  - d) Hazardous disposal
- 2) Awareness and Prevention Instruction

- a) Introduction
- b) Universal Precautions
- c) Blood borne Pathogens
- 3) National RTAP 2 The Point Training
- 4) Sign Off

## **HANDS ON TRAINING**

- 1) Inspection
  - a) Pre-Trip Assessment
  - b) Components and Assembly
  - c) Pre-Trip Form
- 2) Manifest
  - a) Sample Manifest
  - b) Proper Manifest procedures
- 3) Wheelchair Assessment
  - a) Sure-Lok Securing the wheelchair
  - b) Securing the Occupant
  - c) Terms
- 4) Over the road training

## **DEFENSIVE DRIVING**

- 1) Handbook Information
  - a) Definition of Defensive Driving
  - b) Qualities of a good driver
  - c) Main Causes of accidents
  - d) Safety Zone
  - e) Vehicle Equipment
  - f) Pre-Check
    - i) Exterior
    - ii) Interior
  - g) Following Distance

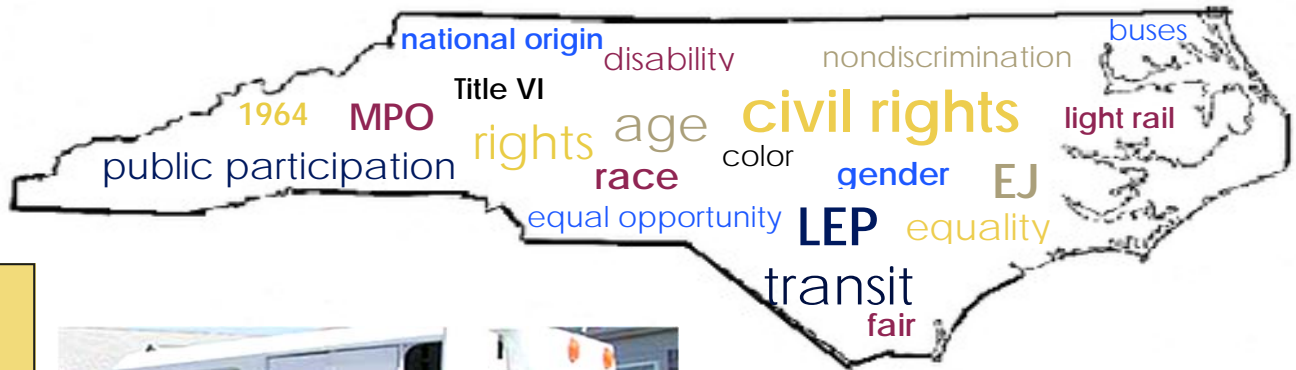
- h) Intersections
- i) Pedestrians and Bicyclists
- j) Designated Stops
- k) Elderly and disabled passengers
- l) Seat belts
- m) Securing a vehicle
- n) Four-way hazard lights
- o) School Zones
- p) Disabled Vehicles
- 2) Classroom Discussion
  - a) Defensive Driving Training PowerPoint
- 3) National RTAP
  - a) Complete 2 THE POINT TRAINING

## **EMERGENCY PROCEDURES**

- 1) Manual Emergency Driving Procedures
  - a) Preparation
  - b) Accident Causes
  - c) Slippery Road Surfaces
  - d) Driving at Night
  - e) Driving through Water
  - f) Winter Driving
  - g) Snow and Ice Removal
  - h) Driving in Very Hot Weather
  - i) Accident Procedures
  - j) Passenger Injuries
  - k) Collect Information
  - l) Fires
  - m) Passenger Illness
  - n) Passenger Evacuation
  - o) Vehicle Breakdown
  - p) ALWAYS notify dispatch

- 2) Accident Reporting Procedures
  - a) Communication and Notification Process
  - b) “In case of accident” form
  - c) Refusal of Treatment and/or Transportation form.
- 3) Emergency Equipment Use
  - a) First Aid Training
    - i) Basic First Aid Training
    - ii) Proper use of First Aid Kit
  - b) Blood borne Pathogens
  - c) Emergency Triangles
  - d) Fire Extinguisher
  - e) Web Cutters
  - f) Reflective Vest
- 4) Emergency Procedures
  - a) Accidents and Emergencies
  - b) Evacuation
  - c) Passenger Handlings
  - d) Driver and Passenger Security Training
  - e) Emergency Evacuation Procedures and Training

# Sampson Area Transportation



Date Adopted

Sampson County

## Title VI Program Plan





## TITLE VI PLAN REVIEW AND ADOPTION

On behalf of the Sampson County Board of Commissioners (BOC), I hereby acknowledge receipt of the Title VI Nondiscrimination Plan. We, the Sampson County Board of Commissioners, have *reviewed and hereby adopt* this Plan. We are committed to ensuring that all decisions are made in accordance with the nondiscrimination guidelines of this Plan, to the end the no person is excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any Sampson Area Transportation (SAT) services and activities on the basis of race, color, national origin, sex, age, creed (religion), or disability, as protected by Title VI of the Civil Rights Act of 1964 and the nondiscrimination provisions of the Federal Transit Administration.

---

Clark Wooten, an, Sampson County BOC Chairman

---

DATE

## Table of Contents

<b>Title VI Nondiscrimination Agreement</b> .....	<b>5</b>
<b>1.0 Introduction</b> .....	<b>6</b>
<b>2.0 Description of Programs and Services</b> .....	<b>6</b>
2.1 Program(s) and Services Administered .....	6
2.2 Funding Sources / Tables .....	6
2.3 Decision-Making Process .....	7
2.4 Title VI Coordinator.....	7
2.5 Change of Title VI Coordinator and/or Head of Decision-making Body .....	8
2.6 Organizational Chart .....	8
2.7 Subrecipients .....	9
<b>3.0 Title VI Nondiscrimination Policy Statement</b> .....	<b>9</b>
<b>4.0 Notice of Nondiscrimination</b> .....	<b>10</b>
<b>5.0 Procedures to Ensure Nondiscriminatory Administration of Programs and Services</b> .....	<b>11</b>
<b>6.0 Contract Administration</b> .....	<b>12</b>
6.1 Contract Language .....	12
6.2 Nondiscrimination Notice to Prospective Bidders.....	13
<b>7.0 External Discrimination Complaint Procedures</b> .....	<b>15</b>
Discrimination Complaint Form.....	17
Discrimination Complaints Log .....	19
Investigative Guidance.....	20
SAMPLE Investigative Report Template .....	21
<b>8.0 Service Area Population Characteristics</b> .....	<b>22</b>
8.1 Race and Ethnicity.....	22
8.2 Age & Sex .....	22
8.3 Disability.....	23
8.4 Poverty.....	24
8.5 Household Income .....	25
8.6 Limited English Proficiency Populations .....	26
8.7 Population Locations .....	26
<b>9.0 Title VI Equity Analyses (and Environmental Justice Assessments)</b> .....	<b>26</b>
<b>10.0 Public Involvement</b> .....	<b>27</b>
10.1 Introduction .....	27
10.2 Public Notification.....	27

10.3 Dissemination of Information .....	27
10.4 Meetings and Outreach .....	28
10.5 Limited English Proficiency .....	29
10.6 Demographic Requests .....	33
10.7 Key Community Contacts.....	34
10.8 Summary of Outreach Efforts Since the Last Title VI Program Submission .....	34
<b>11.0 Staff Training .....</b>	<b>35</b>
<b>12.0 Nonelected Boards and Committees – By Race and Gender .....</b>	<b>35</b>
<b>13.0 Record-Keeping and Reports .....</b>	<b>35</b>
<b>Appendices .....</b>	<b>37</b>
Appendix A – Applicable Nondiscrimination Authorities	
Appendix B – Organizational Chart	
Appendix C– NCDOT’s Transit Review Checklist	

**TITLE VI NONDISCRIMINATION AGREEMENT**  
**BETWEEN**  
**THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION**  
**AND**  
**SAMPSON AREA TRANSPORTATION**

In accordance with DOT Order 1050.2A, Sampson Area Transportation (SAT) assures the North Carolina Department of Transportation (NCDOT) that no person shall, on the ground of **race, color, national origin, sex, creed, age, or disability**, as provided by Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987 and related nondiscrimination authorities, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination or retaliation under any program or activity undertaken by SAT.

Further, SAT hereby agrees to:

1. Designate a Title VI Coordinator that has a responsible position within the organization and easy access to the Director of the organization.
2. Issue a policy statement, signed by the Director of the organization, which expresses a commitment to the nondiscrimination provisions of Title VI and related applicable statutes. The signed policy statement shall be posted and circulated throughout the organization and to the general public, and published where appropriate in languages other than English. The policy statement will be re-signed when there is a change of Director.
3. Insert the clauses of the contract language from Section 6.1 in every contract awarded by the organization. Ensure that every contract awarded by the organization's contractors or consultants also includes the contract language.
4. Process all and, when required, investigate complaints of discrimination consistent with the procedures contained within this Plan. Log all complaints for the administrative record.
5. Collect statistical data (race, color, national origin, sex, age, disability) on participants in, and beneficiaries of, programs and activities carried out by the organization.
6. Participate in training offered on Title VI and other nondiscrimination requirements. Conduct or request training for employees or the organization's subrecipients.
7. Take affirmative action, if reviewed or investigated by NCDOT, to correct any deficiencies found within a reasonable time period, not to exceed 90 calendar days, unless reasonable provisions are granted by NCDOT.
8. Document all Title VI nondiscrimination-related activities as evidence of compliance. Submit information and reports to NCDOT on a schedule outlined by NCDOT.

**THIS AGREEMENT** is given in consideration of, and for the purpose of obtaining, any and all federal funds, grants, loans, contracts, properties, discounts or other federal financial assistance under all programs and activities and is binding.

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Date

Clark Wooten  
Sampson County BOC Chairman

## 1.0 INTRODUCTION

Title VI of the 1964 Civil Rights Act, 42 U.S.C. 2000d provides that: “No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.” The broader application of nondiscrimination law is found in other statutes, executive orders, and regulations, which provide additional protections based on age, sex, creed (religion), and disability, including the 1987 Civil Rights Restoration Act, which extended nondiscrimination coverage to all programs and activities of federal-aid recipients, subrecipients, and contractors, including those that are not federally-funded (see Appendix A – Applicable Nondiscrimination Authorities).

SAT is a recipient of Federal Transit Administration (FTA) funds from the North Carolina Department of Transportation (NCDOT). SAT establishes this Title VI Nondiscrimination Plan for the purpose of complying with Title VI of the Civil Rights Act of 1964, as required by FTA Circular 4702.1B, and related requirements outlined within the FTA Certifications & Assurances, “Nondiscrimination Assurance.” This document details the nondiscrimination program, policies, and practices administered by SAT, and will be updated periodically to incorporate changes and additional responsibilities as they are made. This Plan will be submitted to NCDOT or FTA, upon request.

## 2.0 DESCRIPTION OF PROGRAMS AND SERVICES

### 2.1 PROGRAM(S) AND SERVICES ADMINISTERED

SAT provides public transportation options to its customers within Sampson County, North Carolina. This transportation is available to the elderly, disabled, and general public residents Monday through Friday from 5:00 a.m. to 5:00 p.m. for trips to local agencies, work, non-emergency medical appointments, individual shopping trips, community college, nutrition sites, and senior centers. Transportation reservations should be made two days in advance by calling our office at 910-299-0127. Medicaid transportation clients should call DSS at 910-592-7131.

SAT receives Rural Operating Assistance Program funding from state funds to supplement the cost of non-Medicaid trips. The rider fare for in county, non-Medicaid trips is \$1.00 per one-way trip.

SAT staff includes the following: Transportation Director, Transportation Supervisor, Transportation Office Manager, three Admin. Support Specialists, six full time drivers, and 19 part time drivers.

Type of Service	Days of week	Times	Fare (if applicable)
RGP, EDTAP, Employment	Mon-Fri	5:00 am-5:00 pm	\$2.00 each way, in county
Non-emergency Medical	Mon-Fri	5:00 am-5:00 pm	\$2.00 each way, in county
Medicaid-NEMT	Mon-Fri	5:00 am-5:00 pm	

### 2.2 FUNDING SOURCES / TABLES

For the purpose of federally assisted programs, "federal assistance" shall include:

1. grants and loans of Federal funds;
2. the grant or donation of Federal property and interest in property;
3. the detail of Federal personnel;
4. the sale and lease of, and the permission to use (on other than a casual or transient basis), Federal property or any interest in such property without consideration or at a nominal consideration, or at a consideration which is reduced for the purpose of assisting the recipient, or in recognition of the public interest to be served by such sale or lease to the recipient; and

5. any Federal agreement, arrangement, or other contract which has, as one of its purposes, the provision of assistance.

Each FTA Formula Grant received by our system, and whether the funds were received through NCDOT or directly from FTA, is checked below.

Grant Title	NCDOT	FTA	Details (i.e., purpose, frequency, and duration of receipt)
5310 (Transportation for Elderly Persons and Persons with Disabilities)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Transportation to dialysis and out of county medical appointments
5311 (Formula Grants for Other than Urbanized Areas)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Funds received annually for both Admin and capital costs.
5311 (b)(3) (Rural Transit Assistance)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
5316 (Job Access and Reverse Commute)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Employment and employment related activities transportation

### 2.3 DECISION-MAKING PROCESS

The Sampson County Board of Commissioners is the governing board for Sampson Area Transportation, and they make the final decision on adopting program documents. The BOC meets once per month. When approval from the BOC is needed, a request will be made by the agency Director with all pertinent information being sent to the County Manager for approval and then to put on the BOC agenda. All plans, policies, grants, rate changes, and budgets are required to be adopted by the BOC. Sampson County Local Coordinated Plan (LCP) must be approved every four years. Drug and Alcohol, System Safety Plan and Title VI Plan are initially approved by the BOC, as well as any revisions or needed updates. The BOC approves by vote from the five-member board. A Resolution granting permission for SAT to apply and receive the annual CTP funds must be passed by the BOC.

Any documents that need BOC approval will be discussed and voted on by the Transportation Advisory Board at a quarterly meeting that is currently held on the third Wednesday of January, April, July, and October, prior to sending it to the BOC for final approval. The TAB also may vote on issues that do not require BOC approval.

Board or Committee Name	Appointed	Elected	# of Members
Transit Advisory Board	<input checked="" type="checkbox"/>	<input type="checkbox"/>	8
Board of Commissioners	<input type="checkbox"/>	<input checked="" type="checkbox"/>	5

### 2.4 TITLE VI COORDINATOR

The individual below has been designated as the Title VI Coordinator for SAT, and is empowered with sufficient authority and responsibility to implement the Title VI Nondiscrimination Program:

Name: Rosemarie Oates  
 Official Title: Director, Title VI Coordinator  
 Address: 405 County Complex Rd Clinton, NC 28328  
 Phone: 910-299-0127  
 Email: roates@sampsonnc.com

Key responsibilities of the Coordinator include:

- Maintaining knowledge of Title VI and related requirements.

- Attending civil rights training when offered by NCDOT or any other regulatory agency.
- Administering the Title VI Nondiscrimination Program and coordinating implementation of this Plan.
- Training internal staff and officials on their Title VI nondiscrimination obligations.
- Disseminating Title VI information internally and to the general public, including in languages other than English.
- Presenting Title VI-related information to decision-making bodies for input and approval.
- Ensuring Title VI-related posters are prominently and publicly displayed.
- Developing a process to collect data related to race, national origin, sex, age, and disability to ensure minority, low-income, and other underserved groups are included and not discriminated against.
- Ensuring that non-elected boards and committees reflect the service area and minorities are represented.
- Implementing procedures for prompt processing (receiving, logging, investigating and/or forwarding) of discrimination complaints.
- Coordinating with, and providing information to, NCDOT and other regulatory agencies during compliance reviews or complaint investigations.
- Promptly resolving areas of deficiency to ensure compliance with Title VI nondiscrimination requirements.

## 2.5 CHANGE OF TITLE VI COORDINATOR AND/OR SAT DIRECTOR

If Title VI Coordinator or SAT Director changes, this document and all other documents that name the Coordinator, will immediately be updated, and an updated policy statement will be signed by the new SAT Director.

## 2.6 ORGANIZATIONAL CHART

SAT currently employs 25 staff which consist of the following job categories:

- Director
- Transportation Supervisor
- Office Manager
- Admin. Support Specialist (3)
- Drivers (19)

An organizational chart showing the Title VI Coordinator's place within the organization is located in **Appendix B**.

## 2.7 SUBRECIPIENTS

Sampson Area Transportation does not have pass through funds to any other organizations and, therefore, does not have any subrecipients.

## 3.0 TITLE VI NONDISCRIMINATION POLICY STATEMENT

It is the policy of SAT, as a federal-aid recipient, to ensure that no person shall, on the ground of **race, color, national origin, sex, creed (religion), age or disability**, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any of our programs and activities, as provided by Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, and all other related nondiscrimination laws and requirements.

---

Clark Wooten, Sampson County BOC Chairman

---

Date

### Title VI and Related Authorities

Title VI of the Civil Rights Act of 1964 (42 U.S.C. Section 2000d) provides that, “No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.” The 1987 Civil Rights Restoration Act (P.L. 100-259) clarified and restored the original intent of Title VI by expanding the definition of “programs and activities” to include all programs and activities of federal-aid recipients, subrecipients, and contractors, whether such programs and activities are federally assisted or not.

Related nondiscrimination authorities include, but are not limited to: U.S. DOT regulation, 49 CFR part 21, “Nondiscrimination in Federally-assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act”; 49 U.S.C. 5332, “Nondiscrimination (Public Transportation)”; FTA Circular 4702.1B - Title VI Requirements and Guidelines for Federal Transit Administration Recipients; DOT Order 5610.2a, “Actions to Address Environmental Justice in Minority Populations and Low-Income Populations”; FTA C 4703.1 - Environmental Justice Policy Guidance For Federal Transit Administration Recipients; Policy Guidance Concerning (DOT) Recipient's Responsibilities to Limited English Proficient (LEP) Persons, 74 FR 74087; The Americans with Disabilities Act of 1990, as amended, P.L. 101-336; Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 790; Age Discrimination Act of 1975, as amended 42 U.S.C. 6101; Title IX of the Education Amendments of 1972, 20 U.S.C. 1681; Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, 42 U.S.C. 4601; Section 508 of the Rehabilitation Act of 1973, 29 U.S.C. 794d

### Implementation

- This statement will be signed by the Director of Sampson Area Transportation and re-signed whenever a new person assumes that position.
- The signed statement will be posted on office bulletin boards, near the receptionist’s desk, in meeting rooms, inside vehicles, and disseminated within brochures and other written materials.
- The *core* of the statement (signature excluded) will circulate *internally* within annual acknowledgement forms.
- The statement will be posted or provided in languages other than English, when appropriate.



#### 4.0 NOTICE OF NONDISCRIMINATION

- Sampson Area Transportation operates its programs and services without regard to **race, color, national origin, sex, creed (religion), age, and disability** in accordance with Title VI of the Civil Rights Act and related statutes. Any person who believes she or he has been aggrieved by any unlawful discriminatory practice may file a complaint with Sampson Area Transportation.
- For more information on SAT's civil rights program, and the procedures to file a complaint, contact 910-299-0127, (TTY 877-243-2823); email [roates@sampsonnc.com](mailto:roates@sampsonnc.com); or visit our administrative office at 405 County Complex Rd Clinton NC 28328. For more information, visit [www.sampsoncountync.com](http://www.sampsoncountync.com).
- If information is needed in another language, contact 910-299-0127.
- A complainant may file a complaint directly with the North Carolina Department of Transportation by filing with the Office of Civil Rights, External Civil Rights Section, 1511 Mail Service Center, Raleigh, NC 27699-1511, Attention: Title VI Nondiscrimination Program; phone: 919-508-1808 or 800-522-0453, or TDD/TTY: 800-735-2962.
- A complainant may file a complaint directly with the Federal Transit Administration by filing a complaint with the Office of Civil Rights, Attention: Title VI Program Coordinator, East Building, 5th Floor-TCR, 1200 New Jersey Ave., SE, Washington, DC 20590.

##### Implementation

- The notice will be posted in its entirety on our website and in any documents and reports we distribute.
- The notice will be posted in our offices and inside our vehicles.
- Ads in newspapers and other publications shall include the following: "SAT operates without regard to **race, color, national origin, sex, creed (religion), age or disability**. For more information on SAT's Title VI program or how to file a discrimination complaint, please contact Rosemarie Oates at 910-299-0127, or [roates@sampsonnc.com](mailto:roates@sampsonnc.com).
- The statement will be posted or provided in English and Spanish.

## 5.0 PROCEDURES TO ENSURE NONDISCRIMINATORY ADMINISTRATION OF PROGRAMS AND SERVICES

We are committed to nondiscriminatory administration of our programs and services, organization wide. SAT will remind employees of Title VI nondiscrimination obligations through staff training and use of the **Annual Education and Acknowledgment Form** below. The Title VI Coordinator will periodically assess program operations to ensure this policy is being followed.

### Annual Education and Acknowledgement Form

#### Title VI Nondiscrimination Policy

*(Title VI and related nondiscrimination authorities)*

No person shall, on the grounds of race, color, national origin, sex, age, creed, or disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity of a Federal-aid recipient.

All employees and representatives of SAT are expected to consider, respect, and observe this policy in their daily work and duties. If any person approaches you with a civil rights-related question or complaint, please direct him or her to Rosemarie Oates at 910-299-0127, roates@sampsoncountync.com.

In all dealings with the public, use courtesy titles (e.g., Mr., Mrs., Miss, Dr.) to address or refer to them without regard to their race, color, national origin, sex, age or disability.

#### Acknowledgement of Receipt of Title VI Program

I hereby acknowledge receipt of SAT's Title VI Program and other nondiscrimination guidelines. I have read the Title VI Program and I am committed to ensuring that no person is excluded from participation in or denied the benefits of SAT's programs, policies, services and activities on the basis of race, color, national origin, sex, age, creed (religion), or disability, as provided by Title VI of the Civil Rights Act of 1964 and related nondiscrimination statutes.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

#### Implementation

- Periodically, but not more than once a year, employees and representatives will receive, review and certify commitment to the Title VI Program.
- New employees shall be informed of Title VI provisions and expectations to perform their duties, accordingly, asked to review the Title VI Program, and required to sign the acknowledgement form.
- Periodic review of operational practices and guidelines by the Title VI Coordinator to verify compliance with the Title VI Program. Maintain documents of each review on file.
- Signed acknowledgement forms and records of internal assessments will remain on file for at least three years.

## 6.0 CONTRACT ADMINISTRATION

SAT ensures all contractors will fulfill their contracts in a nondiscriminatory manner. While contractors are not required to prepare a Title VI Program, they must comply with the nondiscrimination requirements of the organization to which they are contracted. SAT and its contractors will not discriminate in the selection and retention of contractors (at any level) or discriminate in employment practices in connection with any of our projects.

### 6.1 CONTRACT LANGUAGE

I. During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

**(1) Compliance with Regulations:** The contractor (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation, Federal Transit Administration (FTA), as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.

**(2) Nondiscrimination:** The contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, national origin, sex, age, creed (religion), low-income, limited English proficiency, or disability in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.

**(3) Solicitations for Subcontractors, Including Procurements of Materials and Equipment:** In all solicitations, either by competitive bidding, or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the contractor of the contractor's obligations under this contract and the Acts and the Regulations relative to Nondiscrimination on the grounds of race, color, or national origin.

**(4) Information and Reports:** The contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the FTA to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the contractor will so certify to the Recipient or the FTA, as appropriate, and will set forth what efforts it has made to obtain the information.

**(5) Sanctions for Noncompliance:** In the event of a contractor's noncompliance with the Nondiscrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the FTA may determine to be appropriate, including, but not limited to:

- (a) withholding payments to the contractor under the contract until the contractor complies; and/or
- (b) cancelling, terminating, or suspending a contract, in whole or in part.

**(6) Incorporation of Provisions:** The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor will take action with respect to any subcontract or procurement as the Recipient or the FTA may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

II. During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees to comply with the following nondiscrimination statutes and authorities; including but not limited to:

#### Pertinent Nondiscrimination Authorities

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been

acquired because of Federal or Federal-aid programs and projects);

- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 et seq.), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 et seq.), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38;

- The Federal Aviation Administration's Nondiscrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures Nondiscrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of Limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq);
- Federal transit laws, specifically 49 U.S.C. § 5332 (prohibiting discrimination based on race, color, religion, national origin, sex (including gender identity), disability, age, employment, or business opportunity).

\*The Contractor has read and is familiar with the terms above:

**Contractor's Initials**

**Date**

### Implementation

- The nondiscrimination language above (**with** initials line) will be appended to any *existing* contracts, purchase orders, and agreements that do not include it, and initialed by the responsible official of the other organization.
- The nondiscrimination language above (**without** initials line) will be incorporated as standard language before the signature page of our standard contracts, purchase orders, and agreements.
- The Title VI Coordinator will review *existing* contracts to ensure the language has been added.

## 6.2 NONDISCRIMINATION NOTICE TO PROSPECTIVE BIDDERS

The SAT, in accordance with Title VI of the Civil Rights Act of 1964 and related nondiscrimination authorities, and Title 49 Code of Federal Regulations, Parts 21 and 26, hereby notifies all bidders that it will affirmatively insure that in any contact entered into pursuant to this advertisement, minority and women business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, national origin, sex, age, creed, limited English proficiency, low-income, or disability in consideration for an award.

**Implementation**

- The nondiscrimination language above will be included in all solicitations for bids for work or material and proposals for negotiated agreements to assure interested firms that we provide equal opportunity and do not discriminate.
- Outreach efforts will be made to minority and women-owned firms that work in requested fields and documented.
- Unless specifically required under Disadvantaged Business Enterprise (DBE) or Affirmative Action programs, all contractors will be selected without regard to their race, color, national origin, or sex.

## 7.0 EXTERNAL DISCRIMINATION COMPLAINT PROCEDURES

These discrimination complaint procedures outline the process used by SAT to process complaints of alleged discrimination filed under Title VI of the Civil Rights Act of 1964 and related nondiscrimination laws that are applicable to SAT programs, services, and activities. Complaints will be investigated by the appropriate authority. Upon completion of an investigation, the complainant will be informed of all avenues of appeal. Every effort will be made to obtain early resolution of complaints at the lowest level possible by informal means.

### FILING OF COMPLAINTS

1. **Applicability** – These procedures apply to the beneficiaries of our programs, activities, and services, such as the members of the public and any consultants/contractors we hire.
2. **Eligibility** – Any person or class of persons who believes that he/she has been subjected to discrimination or retaliation prohibited by any of the Civil Rights authorities based upon race, color, sex, age, national origin, creed (religion) or disability, may file a written complaint. The law prohibits intimidation or retaliation of any sort. The complaint may be filed by the affected individual or a representative and must be in writing.
3. **Time Limits and Filing Options** – A complaint must be filed no later than 180 calendar days after the following:
  - The date of the alleged act of discrimination; or
  - The date when the person(s) became aware of the alleged discrimination; or
  - Where there has been a continuing course of conduct, the date on which that conduct was discontinued or the latest instance of the conduct.

Complaints may be submitted to the following entities:

- **Sampson Area Transportation**, 405 County Complex Rd Clinton, NC 28328
  - **North Carolina Department of Transportation**, Office of Civil Rights, External Civil Rights Section, 1511 Mail Service Center, Raleigh, NC 27699-1511; 919-508-1830 or toll free 800-522-0453
  - **US Department of Transportation**, Departmental Office of Civil Rights, External Civil Rights Programs Division, 1200 New Jersey Avenue, SE, Washington, DC 20590; 202-366-4070
  - **Federal Transit Administration**, Office of Civil Rights, ATTN: Title VI Program Coordinator, East Bldg. 5<sup>th</sup> Floor – TCR, 1200 New Jersey Avenue, SE, Washington, DC 20590
  - **US Department of Justice**, Special Litigation Section, Civil Rights Division, 950 Pennsylvania Avenue, NW, Washington, DC 20530, 202-514-6255 or toll free 877-218-5228
4. **Format for Complaints** – Complaints shall be in **writing** and **signed** by the complainant(s) or a representative and include the complainant's name, address, and telephone number. Complaints received by fax or e-mail will be acknowledged and processed. Allegations received by telephone or in person will be reduced to writing, may be recorded and will be provided to the complainant for confirmation or revision before processing. Complaints will be accepted in other languages, including Braille.
  5. **Discrimination Complaint Form** – The Discrimination Complaint Form is consistent with the FTA Certifications & Assurances, "Nondiscrimination Assurance."
  6. **Complaint Basis** – Allegations must be based on issues involving race, color, national origin, sex, age, creed (religion) or disability. The term "basis" refers to the complainant's membership in a protected group category.

Protected Categories	Definition	Examples	Applicable Statutes and Regulations
			FTA
Race	An individual belonging to one of the accepted racial groups; or the perception, based usually on physical characteristics that a person is a member of a racial group	Black/African American, Hispanic/Latino, Asian, American Indian/Alaska Native, Native Hawaiian/Pacific Islander, White	Title VI of the Civil Rights Act of 1964; 49 CFR Part 21; 49 U.S.C. 5332(b); FTA Circular 4702.1B
Color	Color of skin, including shade of skin within a racial group	Black, White, brown, yellow, etc.	
National Origin	Place of birth. Citizenship is not a factor. Discrimination based on language or a person's accent is also covered.	Mexican, Cuban, Japanese, Vietnamese, Chinese	
Sex	Gender	Women and Men	49 U.S.C. 5332(b); Title IX of the Education Amendments of 1972
Age	Persons of any age	21-year-old person	Age Discrimination Act of 1975
Disability	Physical or mental impairment, permanent or temporary, or perceived.	Blind, alcoholic, para-amputee, epileptic, diabetic, arthritic	Section 504 of the Rehabilitation Act of 1973; Americans with Disabilities Act of 1990
Creed	Religion.	Muslim, Christian, Hindu, Atheist	49 U.S.C. 5332(b)

### Complaint Processing

1. When a complaint is received, an Acknowledgment Letter and a Complainant Consent/Release Form will be mailed to the complainant within ten (10) business days by registered mail.
2. We will consult with the NCDOT Title VI Program to determine the acceptability and jurisdiction of all complaints received. (Note: If NCDOT will investigate, the Title VI Program will be responsible for the remainder of this process. We will record the transfer of responsibility in our complaints log).
3. Additional information will be requested if the complaint is incomplete. The complainant will be provided 15 business days to submit any requested information and the signed Consent Release form. Failure to do so may be considered good cause for a determination of no investigative merit.
4. Upon receipt of the requested information and determination of jurisdiction, we will notify the complainant and respondent of whether the complaint has sufficient merit to warrant investigation.
5. If the complaint is investigated, the notification shall state the grounds of our jurisdiction, while informing the parties that their full cooperation will be required in gathering additional information and assisting the investigator.
6. If the complaint does not warrant investigation, the notification to the complainant shall specifically state the reason for the decision.

### Complaint Log

1. When a complaint is received, the complaint will be entered into the Discrimination Complaints Log with other pertinent information and assigned a **Case Number**. (Note: All complaints must be logged).
2. The complaints log will be submitted to the NCDOT's Civil Rights office during Title VI compliance reviews. (Note: NCDOT may also be request the complaints log during pre-grant approval processes).
3. The **Log Year(s)** since the last submittal will be entered (e.g., 2015-2018, 2017-2018, FFY 2018, or 2018) and the complaints log will be signed before submitting the log to NCDOT.
4. When reporting **no complaints**, check the **No Complaints or Lawsuits** box and sign the log.

Sampson Area Transportation  
**DISCRIMINATION COMPLAINT FORM**

Any person who believes that he/she has been subjected to discrimination based upon race, color, creed, sex, age, national origin, or disability may file a written complaint with Sampson Area Transportation, within 180 days after the discrimination occurred.

Last Name:		First Name:		<input type="checkbox"/> Male			
				<input type="checkbox"/> Female			
Mailing Address:			City	State			
				Zip			
Home Telephone:		Work Telephone:		E-mail Address			
Identify the Category of Discrimination:							
<input type="checkbox"/> RACE <input type="checkbox"/> COLOR <input type="checkbox"/> NATIONAL ORIGIN <input type="checkbox"/> SEX <input type="checkbox"/> CREED (RELIGION) <input type="checkbox"/> DISABILITY <input type="checkbox"/> LIMITED ENGLISH PROFICIENCY <input type="checkbox"/> AGE							
<small>*NOTE: Title VI bases are race, color, national origin. All other bases are found in the "Nondiscrimination Assurance" of the FTA Certifications &amp; Assurances.</small>							
Identify the Race of the Complainant							
<input type="checkbox"/> Black <input type="checkbox"/> White <input type="checkbox"/> Hispanic <input type="checkbox"/> Asian American <input type="checkbox"/> American Indian <input type="checkbox"/> Alaskan Native <input type="checkbox"/> Pacific Islander <input type="checkbox"/> Other _____							
Date and place of alleged discriminatory action(s). Please include earliest date of discrimination and most recent date of discrimination.							
Names of individuals responsible for the discriminatory action(s):							
How were you discriminated against? Describe the nature of the action, decision, or conditions of the alleged discrimination. Explain as clearly as possible what happened and why you believe your protected status (basis) was a factor in the discrimination. Include how other persons were treated differently from you. <b>(Attach additional page(s), if necessary).</b>							
The law prohibits intimidation or <b>retaliation</b> against anyone because he/she has either taken action, or participated in action, to secure rights protected by these laws. If you feel that you have been retaliated against, separate from the discrimination alleged above, please explain the circumstances below. Explain what action you took which you believe was the cause for the alleged retaliation.							
Names of persons (witnesses, fellow employees, supervisors, or others) whom we may contact for additional information to support or clarify your complaint: (Attached additional page(s), if necessary).							
<table style="width: 100%; border: none;"> <tr> <td style="width: 33%; text-align: center;"><u>Name</u></td> <td style="width: 33%; text-align: center;"><u>Address</u></td> <td style="width: 33%; text-align: center;"><u>Telephone</u></td> </tr> </table>					<u>Name</u>	<u>Address</u>	<u>Telephone</u>
<u>Name</u>	<u>Address</u>	<u>Telephone</u>					
1. _____							
2. _____							
3. _____							
4. _____							



**DISCRIMINATION COMPLAINT FORM**

Have you filed, or intend to file, a complaint regarding the matter raised with any of the following? If yes, please provide the filing dates. Check all that apply.

NC Department of Transportation \_\_\_\_\_

Federal Transit Administration \_\_\_\_\_

US Department of Transportation \_\_\_\_\_

US Department of Justice \_\_\_\_\_

Federal or State Court \_\_\_\_\_

Other \_\_\_\_\_

Have you discussed the complaint with any SAT representative? If yes, provide the name, position, and date of discussion.

Please provide any additional information that you believe would assist with an investigation.

Briefly explain what remedy, or action, are you seeking for the alleged discrimination.

**\*\*WE CANNOT ACCEPT AN UNSIGNED COMPLAINT. PLEASE SIGN AND DATE THE COMPLAINT FORM BELOW.**

_____ <b>COMPLAINANT'S SIGNATURE</b>	_____ <b>DATE</b>
---	----------------------

**MAIL COMPLAINT FORM TO:**  
 Sampson Area Transportation  
 405 County Complex Rd  
 Clinton, NC 28328  
[roates@sampsonnc.com](mailto:roates@sampsonnc.com)  
 910-299-0127

**FOR OFFICE USE ONLY**

Date Complaint Received: \_\_\_\_\_

Processed by: \_\_\_\_\_

Case #: \_\_\_\_\_

Referred to:  NCDOT     FTA    Date Referred: \_\_\_\_\_

**DISCRIMINATION COMPLAINTS LOG**

**Log Year(s):**

CASE NO.	COMPLAINANT NAME	RACE/GENDER	RESPONDENT NAME	BASIS	DATE FILED	DATE RECEIVED	ACTION TAKEN	DATE INVESTIG. COMPLETED	DISPOSITION

**No Complaints or Lawsuits**

I certify that to the best of my knowledge, the above described complaints or lawsuits alleging discrimination, or **no complaints or lawsuits** alleging discrimination, have been filed with or against Sampson Area Transportation since the previous Title VI Program submission to NCDOT.

\_\_\_\_\_  
**Signature of Title VI Coordinator or Other Authorized Official**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Print Name and Title of Authorized Official**

## INVESTIGATIVE GUIDANCE

A. Scope of Investigation – An investigation should be confined to the issues and facts relevant to the allegations in the complaint, unless evidence shows the need to extend the issues.

B. Developing an Investigative Plan – It is recommended that the investigator prepares an Investigative Plan (IP) to define the issues and lay out the blueprint to complete the investigation. The IP should follow the outline below:

1. Complainant(s) Name and Address (Attorney name and address if applicable)
2. Respondent(s) Name and Address (Attorney for the Respondent(s) name and address)
3. Applicable Law(s)
4. Basis/(es)
5. Allegation(s)/Issue(s)
6. Background
7. Name of Persons to be interviewed
  - a. Questions for the complainant(s)
  - b. Questions for the respondent(s)
  - c. Questions for witness(es)
8. Evidence to be obtained during the investigation

a. Issue – Complainant allege that there are only six African American contractors participating in the highway construction industry in the State and their contract awards are very small.

- i. Documents needed: documents which show all DBE firms which currently have contracts and must include the following
  - 1) name and race of DBE firm; 2) Date of initial certification into the DBE program; 3) type of business; 4) contracts awarded anytime during the period to the present; 5) dollar value of contract.

C. Request for Information – The investigator should gather data and information pertinent to the issues raised in the complaint.

D. Interviews – Interviews should be conducted with the complainant, respondent, and appropriate witnesses during the investigative process. Interviews are conducted to gain a better understanding of the situation outlined in the complaint of discrimination. The main objective during the interview is to obtain information that will either support or refute the allegations.

E. Developing an Investigative Report – The investigator should prepare an investigative report setting forth all relevant facts obtained during the investigation. The report should include a finding for each issue. A sample investigative report is provided below.

## **SAT Investigative Report Outline**

- I. COMPLAINANT(S) NAME**
- II. RESPONDENT(S)**
- III. APPLICABLE LAW/REGULATION**
- IV. COMPLAINT BASIS/(ES)**
- V. ISSUES/ALLEGATIONS**
- VI. BACKGROUND**
- VII. INVESTIGATIVE PROCEDURES**
- VIII. ISSUES/FINDINGS OF FACT**
- IX. CONCLUSION**
- X. RECOMMENDED ACTIONS**

## 8.0 SERVICE AREA POPULATION CHARACTERISTICS

To ensure that Title VI reporting requirements are met, we will collect and maintain population data on potential and actual beneficiaries of our programs and services. This section contains relevant population data for our overall service area. This data provides context for the Title VI Nondiscrimination Program and will be used to ensure nondiscrimination in public outreach and delivery of our programs and services.

### 8.1 RACE AND ETHNICITY

The following table was completed using data from Census Table QT-P3, Race and Hispanic or Latino Origin: 2010:

Race and Ethnicity	Number	Percent
Total Population	63,431	100
White	35,985	56.7
Black or African American	17,128	27
American Indian or Alaska Native	1,297	2
Asian	242	0.4
Native Hawaiian and Other Pacific Islander	72	0.1
Some other Race	7,430	11.7
Two or More Races	1,277	2.0
HISPANIC OR LATINO (of any race)		
Mexican	7,482	11.8
Puerto Rican	510	0.8
Cuban	50	0.1
Other Hispanic or Latino	2,398	3.8

### 8.2 AGE & SEX

The following table was completed using data from Census Table QT-P1, Age Groups and Sex: 2010:

Age	Number			Percent		
	Both sexes	Male	Female	Both sexes	Male	Female
Total Population	63,431	31,108	32,323	100%	49%	50%
Under 5 years	4,405	2,202	2,203	6.9	7.1	6.8
Under 18 years	16,277	8,334	7,943	25.7	26.8	24.6
18 to 64 years	38,110	19,023	19,087	60.1	61.2	59.1
65 years and over	9,044	3,751	5,293	14.3	12.1	16.4
Median Age	38.2	36.9	39.4			

### 8.3 DISABILITY

The following table was completed using data from Census Table S1810, Disability Characteristics:

Subject	Total		With a Disability		Percent with a Disability	
	Estimate	Margin of Error +/-	Estimate	Margin of Error +/-	Estimate	Margin of Error +/-
Total civilian noninstitutionalized population	63,040	+/-327	12,418	<b>+/-853</b>	<b>19.7%</b>	<b>+/-1.3</b>
Population under 5 years	4,095	+/-45	55	+/-63	1.3%	+/-1.5
Population 5 to 17 years	11,678	+/-49	1,073	+/-220	9.2%	+/-1.9
Population 18 to 64 years	12,456	+/-124	1,354	+/-269	10.9%	+/-2.2
Population 65 years and over						
SEX						
Male	30,959	+/-284	6,088	+/-572	19.7%	+/-1.8
Female	32,081	+/-128	6,330	+/-486	19.7%	+/-1.5
RACE AND HISPANIC OR LATINO ORIGIN						
White	40,142	+/-1,005	7,330	+/-697	18.3%	+/-1.7
Black or African American	15,889	+/-406	4,246	+/-480	26.7%	+/-2.9
American Indian and Alaska Native	1,170	+/-285	267	+/-86	22.8%	+/-5.9
Asian	343	+/-24	34	+/-27	9.9%	+/-8.1
Native American and other Pacific Islander						
Some other Race	3,724	+/-928	183	+/-117	4.9%	+/-2.8
Two or more races	1,756	+/-384	358	+/-138	20.4%	+/-7.1
Hispanic or Latino	11,959	+/-51	760	+/-246	6.4%	+/-2.1

#### 8.4 POVERTY

The following table was completed using data from Census Table S1701, Poverty Status in the Past 12 Months:

Subject	Total		Below poverty level		Percent below poverty level	
	Estimate	Margin of Error +/-	Estimate	Margin of Error +/-	Estimate	Margin of Error +/-
Population for whom poverty status is determined						
AGE						
Under 18	15,505	+/-165	5,569	+/-716	35.9%	+/-4.6
18 to 64	37,266	+/-247	8,489	+/-953	22.8%	+/-2.5
65 years and over	10,046	+/-204	1,213	+/-231	12.1%	+/-2.3
SEX						
Male	30,857	+/-302	7,054	+/-807	22.9%	+/-2.5
Female	31,960	+/-156	8,217	+/-856	25.7%	+/-2.7
RACE AND HISPANIC OR LATINO ORIGIN						
White	40,058	+01,007	7,787	+/-1,193	19.4%	+/-2.8
Black or African American	15,813	+/-394	5,515	<b>+/-1,004</b>	<b>34.9%</b>	<b>+/-6.0</b>
American Indian and Alaska Native	1,170	+/-285	167	+/-100	14.3%	+/-9.0
Asian	340	+/-25	114	+/-112	33.5%	+/-31.9
Native American and Other Pacific Islander						
Some other Race	3,658	+/-914	1,294	+/-594	35.4%	+/-12.3
Two or more races	1,762	+/-389	378	+/-195	21.5%	+/-9.7
Hispanic or Latino	11,918	+/-93	5,058	+/-712	42.4%	+/-6.0
RACE AND HISPANIC OR LATINO ORIGIN						
All individuals below:						
50 percent of poverty level	5,910	+/-1,058				
125 percent of poverty level	19,264	+/-1,504				
150 percent of poverty level	23,852	+/-1,679				
185 percent of poverty level	29,486	+/-1,726				
200 percent of poverty level	31,526	+/-1,679				

## 8.5 HOUSEHOLD INCOME

The following table was completed using data from Census Table S1901, Income in the Past 12 Months (In 2013 Inflation-Adjusted Dollars):

Subject	Households	
	Estimate	Margin of Error +/-
Total		
Less than \$10,000	545	+/-219
\$10,000 to \$14,999	1,711	+/-353
\$15,000 to \$24,999	4,136	+/-482
\$25,000 to \$34,999	3,665	+/-465
\$35,000 to \$49,999	4,007	+/-422
\$50,000 to \$74,999	3,048	+/-500
\$75,000 to \$99,999	453	+/-121
\$100,000 to \$149,999	783	+/-189
\$150,000 to \$199,999		
\$200,000 or more		
Median income (dollars)	32,350	+/-1,417
Mean income (dollars)	43,249	+/-3,161



## 8.6 LIMITED ENGLISH PROFICIENCY POPULATIONS

	Sampson County, NC	
	Estimate	Margin of Error +/-
Total	59,743	+/-26
Speak only English	50,319	+/-388
Spanish or Spanish Creole:	8,993	+/-383
Speak English "very well"	3,481	+/-454
Speak English less than "very well"	5,512	+/-379
French (incl. Patois, Cajun):	33	+/-30
Speak English "very well"	15	+/-22
Speak English less than "very well"	18	+/-18
French Creole:	64	+/-49
Speak English "very well"	12	+/-20
Speak English less than "very well"	52	+/-37
Italian:	8	+/-11
Speak English "very well"	4	+/-6
Speak English less than "very well"	4	+/-5
Potuguese or Portuguese Creole	2	+/-4
Speak English "very well"	2	+/-28
Speak English less than "very well"	0	+/-28
German:	9	+/-28
Speak English "very well"	9	+/-28
Speak English less than "very well"	0	+/-28

## 8.7 POPULATION LOCATIONS

Federal-aid recipients are required to identify the characteristics and locations of populations they serve, particularly by race/ethnicity, poverty and limited English proficiency. We will document this narratively or through maps that overlay boundaries and demographic features on specific communities, and provide this information to NCDOT, upon request.

## 9.0 TITLE VI EQUITY ANALYSES (AND ENVIRONMENTAL JUSTICE ASSESSMENTS)

**Title VI Equity Analyses.** In accordance with FTA Circular 4702.1B, a Title VI equity analysis will be conducted whenever we construct a facility, such as a vehicle storage facility, maintenance facility, or operation center. The equity analysis will be conducted during the planning stage, with regard to the location of the facility, to determine if the project could result in a disparate impact to minority communities based on race, color or national origin. Accordingly, we will look at various alternatives before selecting a site for the facility. Project-specific demographic data on potentially affected communities and their involvement in decision-making activities will be documented. Title VI Equity Analyses will remain on file indefinitely, and copies will be provided to NCDOT, upon request, during compliance reviews or complaint investigations.

**Environmental Justice Analyses.** As required by FTA C 4703.1, environmental justice (EJ) analyses will be conducted to determine if our programs, policies, or activities will result in disproportionately high and adverse human health and environmental effects on minority populations and low-income populations. EJ applies to our projects, such as when we construct or modify a facility, and our policies, such as when there will be a change in service, amenities or fares. Thus, we will look at various alternatives and seek input from potentially affected communities before making a final decision. Demographic data will be collected to document their involvement in the decision-making process. EJ analyses will remain on file indefinitely, and copies will be provided to NCDOT, upon request, during compliance reviews or complaint investigations.

## 10.0 PUBLIC INVOLVEMENT

### 10.1 INTRODUCTION

Effective public involvement is a key element in addressing Title VI in decision-making. This **Public Participation Plan** describes how SAT will disseminate vital agency information and engage the public. We will seek out and consider the input and needs of interested parties and groups traditionally underserved by transportation systems who may face challenges accessing our services, such as minority and limited English proficient (LEP) persons. Underlying these efforts is our commitment to determining the most effective outreach methods for a given project or population.

General public involvement practices will include:

- Expanding traditional outreach methods. Think outside the box: Go to hair salons, barbershops, street fairs, etc.
- Providing for early, frequent and continuous engagement by the public.
- Use of social media and other resources as a way to gain public involvement.
- Coordinating with community- and faith-based organizations such as the Hispanic Liaison, educational institutions, and other entities to implement public engagement strategies that reach out specifically to members of affected minority and/or LEP communities.
- Providing opportunities for public participation through means other than written communication, such as personal interviews or use of audio or video recording devices to capture oral comments.
- Considering radio, television, or newspaper ads on stations and in publications that serve LEP populations. Outreach to LEP persons could also include audio programming available on podcasts.

### 10.2 PUBLIC NOTIFICATION

Passengers and other interested persons will be informed of their rights under Title VI and related authorities with regard to our program. The primary means of achieving this will be posting and disseminating the policy statement and notice as stipulated in Sections 3.0 and 4.0, respectively. Additional measures may include verbally announcing our obligations and the public's rights at meetings, placing flyers at places frequented by targeted populations, and an equal opportunity tag-on at the end of radio announcements. The method of notification will be determined through an initial screening of the area.

### 10.3 DISSEMINATION OF INFORMATION

Information on Title VI and other programs will be crafted and disseminated to employees, contractors and subrecipients, stakeholders, and the general public. Public dissemination efforts may vary depending on factors present, but will generally include: posting public statements setting forth our nondiscrimination policy in eye-catching designs and locations; placing brochures in public places, such as government offices, transit facilities, and libraries; having nondiscrimination language within contracts; including

nondiscrimination notices in meeting announcements and handouts; and displaying our Notice of Nondiscrimination at all our public meetings.

At a minimum, nondiscrimination information will be disseminated on our website and on posters in conspicuous areas at our office(s). Project-related information and our most current Title VI-related information will be maintained online.

#### 10.4 MEETINGS AND OUTREACH

There is no one-size-fits-all approach to public involvement. A variety of comprehensive and targeted public participation methods will be used to facilitate meaningful public involvement. Methods for engaging stakeholders and target audiences, including traditionally underserved and excluded populations (i.e., minorities, youth, low-income, the disabled, etc.) will include the following:

##### Public Relations and Outreach

Public relations and outreach (PRO) strategies aim to conduct well-planned, inclusive and meaningful public participation events that foster good relations and mutual trust through shared decision-making with the communities we serve.

- We will seek out and facilitate the involvement of those potentially affected.
- Public events will aim to be collaborative, fun, and educational for all, rather than confrontational and prescriptive.
- Media plans will typically involve multiple channels of communication like mailings, radio, TV, and newspaper ads.
- Abstract objectives will be avoided in meeting announcements. Specific “attention-grabbing” reasons to attend will be used, such as “Help us figure out how to relieve congestion on [corridor name]” or “How much should it cost to ride the bus? Let us know on [date].”
- Efforts will be made to show how the input of participants can, or did, influence final decisions.
- We will do our best to form decision-making committees that look like and relate to the populations we serve.
- We will seek out and identify community contacts and partner with local community- and faith-based organizations that can represent, and help us disseminate information to, target constituencies.
- Demographic data will be requested during public meetings, surveys, and from community contacts and committee members.

##### Public Meetings

“Public meeting” refers to any meeting open to the public, such as hearings, charrettes, open house and board meetings.

- Public meetings will be conducted at times, locations, and facilities that are convenient and accessible.
- Meeting materials will be available in a variety of predetermined formats to serve diverse audiences.
- An assortment of advertising means may be employed to inform the community of public meetings.
- Assistance to persons with disabilities or limited English proficiency will be provided, as required.

##### Small Group Meetings

A small group meeting is a targeted measure where a meeting is held with a specific group, usually at their request or consent. These are often closed meetings, as they will typically occur on private property at the owner’s request.

- If it is determined that a targeted group has not been afforded adequate opportunities to participate, the group will be contacted to inquire about possible participation methods, including a group meeting with them individually.

- Unless unusual circumstances or safety concerns exist, hold the meeting at a location of the target group's choosing.
- Share facilitation duties or relinquish them to members of the target group.
- Small group discussion formats may be integrated into larger group public meetings and workshops. When this occurs, the smaller groups will be as diverse as the participants in the room.

Community Surveying

- Opinion surveys will occasionally be used to obtain input from targeted groups or the general public on their transportation needs, the quality or costs of our services, and feedback on our public outreach efforts.
- Surveys may be conducted via telephone, door-to-door canvassing, at community fairs, by placing drop boxes in ideal locations, or with assistance from other local agencies like social services.
- Surveys will be translated into languages other than English, when appropriate.

**10.5 LIMITED ENGLISH PROFICIENCY**

Limited English Proficient (LEP) persons refers to persons for whom English is not their primary language who have a limited ability to read, write, speak, or understand English. It includes people who reported to the U.S. Census that they speak English less than very well, not well, or not at all.

In an effort to comply with DOT's LEP policy guidance and Executive Order 13166, this section of our public participation plan outlines the steps we will take to ensure meaningful access to all benefits, services, information, and other important portions of our programs and activities by individuals who are LEP. Accordingly, a Four Factor Analysis was conducted to determine the specific language services appropriate to provide, to whom, and to determine if our communication with LEP persons is effective.

**Four Factor Analysis**

This Four Factor Analysis is an individualized assessment that balances the following four factors:

- (1) The number or proportion of LEP persons eligible to be served or likely to be encountered by a program, activity, or service of the recipient or grantee;
- (2) The frequency with which LEP individuals come in contact with the program;
- (3) The nature and importance of the program, activity, or service provided by the recipient to people's lives; and
- (4) The resources available to the recipient and costs.

**Factor #1: *The number or proportion of LEP persons eligible to be served or likely to be encountered by the program, activity, or service of the recipient.***

LANGUAGE SPOKEN AT HOME	Estimate	Margin of Error	Percent of Population	Margin of Error
<b>Total (population 5 years and over):</b>	<b>59,567</b>	<b>+/- 44</b>	<b>100%</b>	<b>+/-0.9%</b>
Speak only English	49,673	+/- 418	83.4%	+/-0.7 %
Spanish or Spanish Creole:	9,328	+/-407	15.7%	+/-0.7 %
Speak English "very well"	3,790	+/- 467	40.6%	+/-4.9 %
Speak English less than "very well"	5,538	+/-529	59.4%	+/-4.9 %

Based on Census estimates, factoring in margins of error, there is one individual LEP language group within Sampson County that meets the safe harbor threshold, which is Spanish speaking individuals. These individuals are settled throughout Sampson County, generally living outside the town limits of

Clinton, Roseboro, Autryville, Salemburg, and Garland. Sampson Area Transportation provides services throughout Sampson County, and does not place any limits on the areas within the county that it picks up from. There is a staff member that is bilingual in English and Spanish, and interpreters are also available through Sampson County Dept. of Social Services and Health Department. All advertising is provided in both English and Spanish. In accordance with the USDOT LEP Guidance, SAT will provide Title VI related written notice and materials free of cost in Spanish.

**Factor #2: *The frequency with which LEP individuals come in contact with the program.***

SAT provides rides to approximately 25 LEP persons per year. While formal data has not been collected, the agency has indicated it has encountered approximately 25 LEP persons using the service within the last 6 months.

SAT has an open-door policy and will provide rides to any county resident who requests to do so. If an individual has speech limitations, the office staff or driver will work with the Office Manager and Sampson County, if needed, to ensure the individual receives access to the transportation services.

SAT will distribute a survey once per year in order to gather information from transit riders and the general public regarding the services provided. This information will help SAT determine what they are doing well, and what areas need improvement.

**Factor #3: *The nature and importance of the program, activity, or service provided by the recipient to people's lives.***

Sampson Area Transportation understands that a person who has a LEP language barrier also faces difficulties obtaining health care, education, and access to employment. A transportation system is a key link to connecting LEP persons to these essential services. SAT provides transportation for residents to and from the following agencies:

- Dept of Social Services
- Health Department
- Department of Aging
- Nutrition Sites
- Adult Day Care
- Senior Centers
- Vocational Rehabilitation
- Community College

SAT has identified activities and services which would have serious consequences to individuals if language barriers prevented access to information or the benefits of those programs. The activities and services include having emergency evacuation procedures posted in our facilities and in the transit vehicles and providing information to the public on security awareness and emergency preparedness. Information can also be distributed via public television and radio broadcasts. SAT is an integral part of the Sampson County Emergency Operations Plan and is actively involved with Sampson County Emergency Services whose staff disseminates information to the general public, in both English and Spanish.

SAT's assessment of what programs, activities, and services that are most critical include contact with community organizations such as Sampson County Dept. of Social Services & Health Dept., Sampson Community College, and churches throughout Sampson County that serve LEP persons, as well as contact with LEP persons themselves to obtain information on the importance of the modes or the types of

services that are provided to LEP populations. Brochures that explain the services that are provided have been distributed to these agencies and are written in both the English and Spanish language.

In order to help SAT understand the significance of our program to our community, the following questions are included on the survey that has been previously mentioned. Surveys are also completed via telephone, and a translator is available for those who speak limited English.

- Is SAT important to you?
- Do you have other means of transportation?
- Does using SAT services help you financially?

<b>Factor #4: <i>The resources available to the recipient and costs.</i></b>
--

SAT makes every reasonable effort to communicate with LEP persons about available transit services, including providing the funding for translation of current services and bilingual materials and pay for Language Line services, as needed. As resources permit, SAT will include training for all drivers on best practices for serving LEP individuals.

SAT works with Sampson County Social Services and Health Department to gain insight regarding the needs and concerns of LEP persons about local transit services. SAT is continually exploring options for the best methods of delivering information and meeting the transit needs of all LEP persons and Sampson County residents.

#### **LANGUAGE ASSISTANCE PLAN**

As a result of the above four factor analysis, a Language Assistance Plan (Plan) was required. This Plan represents our commitment to ensuring nondiscrimination and meaningful access by persons who are Limited English Proficient (LEP). This Plan also details the mechanisms we will use to reach LEP persons and the language assistance services we provide. We will provide services to any person, upon request. If an individual is LEP, we will work with the individual to ensure they receive the needed transportation service. Our employees will be routinely oriented on the principles and practices of Title VI and LEP to ensure fairness in the administration of this Plan.

#### **Language Assistance Measures**

The following general language assistance measures are reasonable and achievable for our organization at this time:

- Translating public notices posted in the local paper and at stations, stops, and in vehicles into **any languages that meet the safe harbor threshold in Factor 1.**
- Vital documents—such as brochures with service times and routes—are translated into Spanish across the entire service area, and available in our facilities, doctor’s offices and shopping centers.
- Making a concerted effort to inform LEP persons of available language assistance via staff, broadcast media, relationship-building with organizations, and our website.
- Posting vital bulletin board information and disseminating community surveys in various languages.
- Providing translation and interpretive services when appropriate (upon request or predetermined) at meetings.

- Determining how best to take public involvement to LEP groups directly, including through small group meetings.
- Where possible, utilizing or hiring staff who speak a language other than English and can provide competent language assistance.
  - Note: We will not ask community-based organizations (CBO) to provide, or serve as, interpreters at our meetings. Relying upon CBOs in that capacity could raise ethical concerns. If a CBO decides (on its own) to translate any materials for its constituents, or bring interpreters it trusts to our meetings, we will not object. That is their right.
- Using language identification flashcards to determine appropriate services.
- Establishing a process to obtain feedback on our language assistance measures
- Spanish: When written interpretation/translation is needed, SAT staff may contact an interpreter at either Sampson County Health Department or Sampson County Department of Social Services for assistance. All SAT legal notices, public notices, and agency brochures are printed in both English and Spanish. SAT brochures are distributed throughout the county to local agencies such as Sampson County Health Department, Sampson County Social Services, Sampson Community College, and other area businesses. Currently, SAT receives referrals for LEP persons from the Sampson County Health Department and Sampson County Social Services for transit assistance.

#### Written Translation and Oral Interpretation

Vital documents will be translated for each eligible LEP language group in our service area that constitutes 5% or 1,000, whichever is less, of the population of persons eligible to be served or likely to be encountered. Translated materials will be placed online and in appropriate public (or private) places accessible to LEP persons. The safe harbor provisions apply to the translation of written documents only, and do not affect the requirement to provide meaningful access to LEP individuals through competent oral interpreters where oral language services are needed and are reasonable. When appropriate, translation of any document will be communicated orally in the appropriate language.

In the event that the 5% trigger is reached for a LEP language group that is fewer than 50 persons, written notice will be provided in the primary language of that group of the right to receive competent oral interpretation of vital written materials, free of cost. The most effective method of notice, which could be an ad in the local newspaper or other publication, a radio commercial, or door hangers, will be determined in consideration of the circumstances on the ground and in coordination with LEP community contacts.

#### Staff Support for Language Assistance

- Agency staff will be provided a list of referral resources that can assist LEP persons with written translation and oral interpretation, including the Title VI Officer. This list will be updated as needed to remain current.
- All main offices and vehicles will have on hand a supply of language assistance flashcards and materials translated into the languages of the largest LEP language groups. When encountered by an LEP person, staff (including drivers) should present the individual with a flashcard and let them choose the language. Do not assume you know their preferred language. Drivers are permitted to seek volunteer assistance from other passengers before contacting a referral resource. Document the encounter and report it to the Title VI Coordinator.
- Training: All employees will be instructed on our procedures for providing timely and reasonable assistance to LEP persons. New employee orientation will also explain these procedures to new hires. Staff routinely encountering LEP persons by telephone or in person will receive annual refresher training. All other employees will be reminded of LEP through annual Title VI program acknowledgements ([Section 5.0](#)) and basic Title VI trainings ([Section 11.0](#)).

#### Project-Specific LEP Outreach

A project-specific four factor analysis will be conducted for any project or outreach event limited to a specific geographical area (i.e., the project study area or outreach area, respectively). Language

assistance will be provided in accordance with the measures already outlined, including translating written materials for each LEP language group that is 5% or 1,000, whichever is less, of the project or outreach area population.

**Monitoring and Updating the LAP**

Monitoring of daily interactions with LEP persons will be continuous, thus language assistance techniques may be refined at any time. This Plan will be periodically reviewed—at least annually—to determine if our assistance measures and staff training are working. Resource availability and feedback from agency staff and the general public will be factors in the evaluation and any proposed updates. Among other practices, this process will include working with LEP community contacts to determine if our employees are responding appropriately to requests made with limited English or in languages other than English, and observing how agency staff responds to requests, including observing drivers or surveying riders. To the best of our ability, we will attempt to never eliminate a successful existing LEP service. Significant LEP program revisions will be approved or adopted by our board or designated official and dated accordingly. LEP data and procedures will be reviewed and updated at least once every three years.

**10.6 DEMOGRAPHIC REQUEST**

The following form was used to collect required data on Key Community Contacts and nonelected committee members.

Sampson Area Transportation is required by Title VI of the Civil Rights Act of 1964 and related authorities to record demographic information on members of its boards and committees. Please provide the following information:

<p><b>Race/Ethnicity:</b></p> <p><input type="checkbox"/> White</p> <p><input type="checkbox"/> Black/African American</p> <p><input type="checkbox"/> Asian</p> <p><input type="checkbox"/> American Indian/Alaskan Native</p> <p><input type="checkbox"/> Native Hawaiian/Pacific Islander</p> <p><input type="checkbox"/> Hispanic/Latino</p> <p><input type="checkbox"/> Other (please specify): _____</p>	<p><b>National Origin:</b> (if born outside the U.S.)</p> <p><input type="checkbox"/> Mexican</p> <p><input type="checkbox"/> Central American: _____</p> <p><input type="checkbox"/> South American: _____</p> <p><input type="checkbox"/> Puerto Rican</p> <p><input type="checkbox"/> Chinese</p> <p><input type="checkbox"/> Vietnamese</p> <p><input type="checkbox"/> Korean</p> <p><input type="checkbox"/> Other (please specify): _____</p>
<p><b>Gender:</b> <input type="checkbox"/> Male <input type="checkbox"/> Female</p>	<p><b>Age:</b></p> <p><input type="checkbox"/> Less than 18 <input type="checkbox"/> 45-64</p> <p><input type="checkbox"/> 18-29 <input type="checkbox"/> 65 and older</p> <p><input type="checkbox"/> 30-44</p>
<p><b>Disability:</b> <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p><b>I choose not to provide any of the information requested above:</b> <input type="checkbox"/></p>	

Completed forms will remain on file as part of the public record. For more information regarding Title VI or this request, please contact the Sampson Area Transportation at 910-299-0127 or by email at roates@sampsonnc.com.

Please sign below acknowledging that you have completed this form.

Thank you for your participation!

Name (print): \_\_\_\_\_

Signature: \_\_\_\_\_



**Implementation**

- Forms will be completed prior to NCDOT Title VI reviews and remain on file for three years.
- All new and existing members of appointed decision-making boards or committees will be **required** to complete this form for reporting purposes.
- If a member, for whatever reason, selects *“I choose not to provide any of the information requested above,”* this will be accepted as a **completed** form.
- If a member chooses not to provide any of the information on the form, the Title VI Coordinator will be permitted to indicate that member’s race and gender, based on the Coordinator’s best guess.
- Data from these forms will be used to complete the Demographic Request Table.
- Once a new member submits this form, the Demographic Request Table for the associated committee will be updated.

**10.7 KEY COMMUNITY CONTACTS**

Contact Name	Community Name	Interest or Affiliation	Also a Committee Member? (Y/N)
Lorie Sutton	Sampson County Dept. of Aging	Senior Population	Yes
Sarah Bradshaw	Sampson County Dept. of Social Services	All county residents	Yes
Ann Knowles	Sampson County Veteran's Services	All county military veterans	Yes
Wanda Robinson	Sampson County Health Department	All county residents	Yes
Becky Spruill-Vann	Tim's Gifts, Inc	All county residents	Yes
Trey Godwin	Smithfield Foods	Employment	Yes
Cliff Ireland	Military Veteran's Rep.	Military Veterans	Yes
Ashley Honeycutt	Fresenius Dialysis	Dialysis patients	Yes

Contact information for key community contacts is not public information and is maintained outside of this document. Any staff member who wishes to contact any individual listed above must request that information from the Title VI Coordinator.

**10.8 SUMMARY OF OUTREACH EFFORTS MADE SINCE THE LAST TITLE VI PROGRAM SUBMISSION**

The following format is used to document SAT’s outreach efforts in reports to NCDOT. All meetings and disseminations of information capture information for the table below:

Meeting Date	Meeting Time	Meeting Purpose	Target Audience	Information Disseminated
2 <sup>nd</sup> Wednesday of the following months: July, October, January, April	10:00 am	Transit Advisory Board Meeting	General Public, any persons interested in the services available through SAT	Information varies based on current events relevant to SAT, the Board, and public comments/input/recommendations

## 11.0 STAFF TRAINING

All employees will receive basic Title VI training at least once every three years. New hires will receive this training within 15 days of their start date. Basic training will cover all sections of this Plan and our overall Title VI obligations. Staff may receive specialized training on how Title VI applies to their specific work areas. Those who routinely encounter the public, such as office personnel, call center staff, and vehicle drivers, will receive annual refresher training. Trainings will be provided or organized by the Title VI Coordinator and will often coincide with updates to our nondiscrimination policies and procedures. Records of staff trainings, such as agendas, sign-in sheets, copies of calendars, and certificates, will remain on file for at least three years (and in personnel files).

## 12.0 NONELECTED BOARDS AND COMMITTEES – BY RACE AND GENDER

The table below depicts race and gender compositions for each of our nonelected (appointed) decision-making bodies. Member names and full demographics for each committee are available, upon request.

Body	Male %	Female %	Caucasian %	African American %	Asian American %	Native American %	Other %	Hispanic %
Service Area Population	49.2	50.8	61.9	25	.05	.03	11.3	21.2
Transit Advisory Board	25	75	75	12.5			12.5	
Committee Name								
Committee Name								
Committee Name								

### Strategies for Representative Committees

Diversification goals will be provided to our nonelected boards and committees to help ensure that their membership mirrors our service area demographics, as adequately as possible. We will provide periodic updates on our outreach efforts at meetings. When there is an opening on a board or committee, we will ensure the following:

- Current members will be made aware of diversity goals and polled for nominees.
- Officials from local minority groups will be made aware of the diversity goals and polled for nominees.
- Key Contacts from LEP groups will be contacted and polled for nominees.
- A recruitment notice for a Board Member opening will be posted on our website.
- An advertisement of recruitment notice for a Board Member will be placed with the local newspaper and other publications popular with minorities and other protected groups.

## 13.0 RECORD-KEEPING AND REPORTS

As a subrecipient of FTA funds through NCDOT, we are required to submit a Title VI Program update to NCDOT every three years, on a schedule determined by NCDOT. Records will be kept to document compliance with the requirements of the Title VI Program. Unless otherwise specified, Title VI-related records shall be retained indefinitely. These records will be made available for inspection by authorized officials of the NCDOT and/or FTA. Reports on Title VI-related activities and progress to address findings identified during Title VI compliance reviews may also be provided, upon request. It will occasionally be necessary to update this Title VI Plan or any of its components (e.g., complaints, Public Involvement, and

LEP). Updates will be submitted to NCDOT for review and approval and adopted by our Board when required.

In addition to items documented throughout this Plan, records and reports due at the time of compliance reviews or investigations may include:

Compliance Reviews

- Title VI Program Plan
- List of civil rights trainings provided or received
- Summaries from any *internal* reviews conducted
- Ads and notices for specific meetings
- Findings from reviews by any other *external* agencies
- Title VI equity analyses and EJ assessments
- Discrimination Complaints Log

Complaint Investigations

- Investigative Reports
- Discrimination complaint, as filed
- List of interviewees (names and affiliations)
- Supporting Documentation (e.g., requested items, photos taken, dates and methods of contact, etc.)

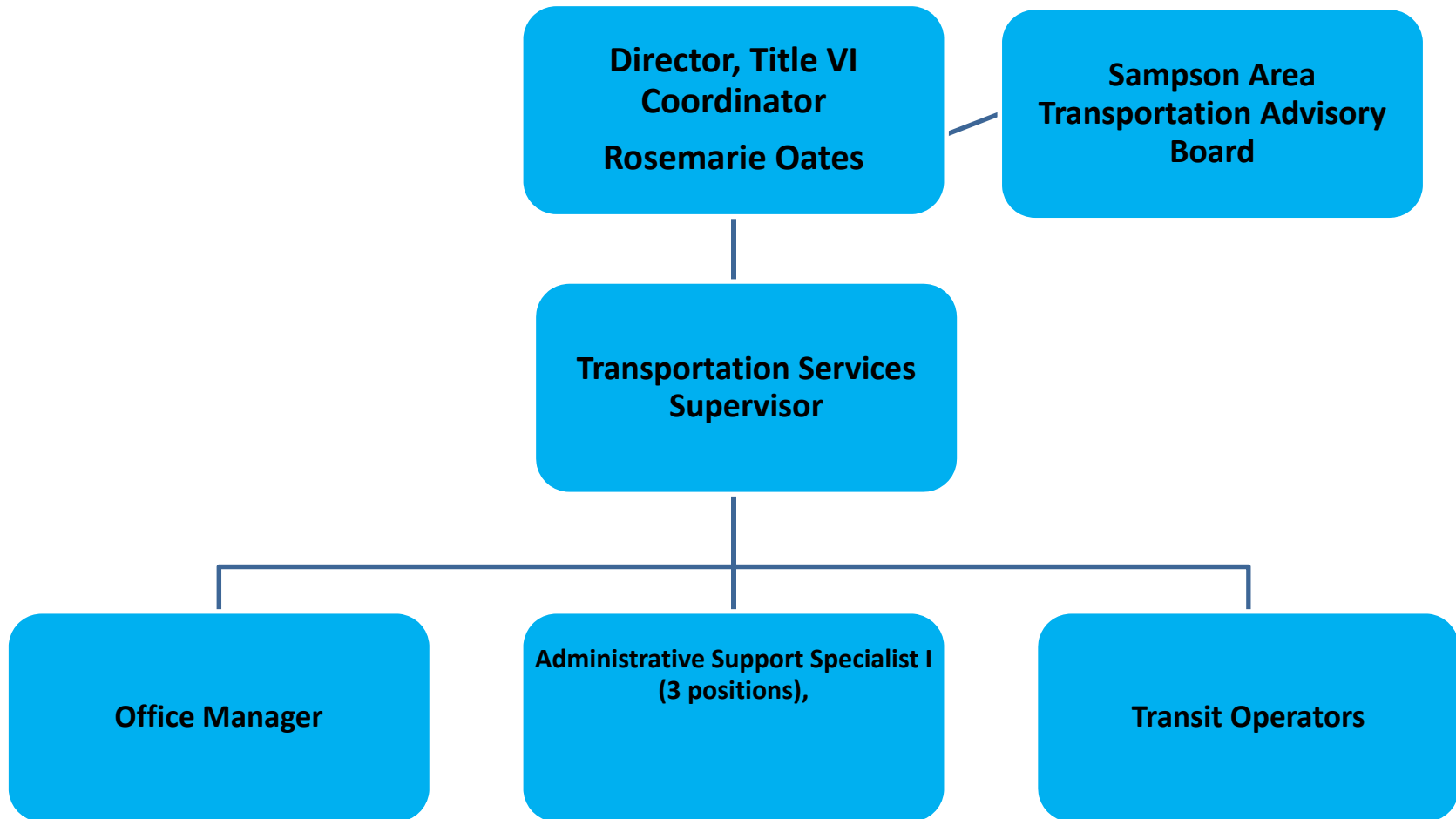
## **Appendix A**

### **Applicable Nondiscrimination Authorities**

During the implementation of this Title VI Program, the organization, for itself, its assignees and successors in interest, is reminded that it has agreed to comply with the following non-discrimination statutes and authorities, including but not limited to:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 *et seq.*), (prohibits discrimination on the basis of age);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38;
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 *et seq.*).
- Title VII of the Civil Rights Act of 1964 (42 U.S.C. § 2000e *et seq.*, Pub. L. 88-352), (prohibits employment discrimination on the basis of race, color, creed (religion), sex, or national origin);
- 49 CFR Part 26, regulation to ensure nondiscrimination in the award and administration of DOT-assisted contracts in the Department's highway, transit, and airport financial assistance programs;
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 *et seq.*), (prohibits discrimination on the basis of sex);
- Airport and Airway Improvement Act of 1982, (49 USC § 4 71, Section 4 7123), as amended, (prohibits discrimination based on race, creed (religion), color, national origin, or sex);
- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Federal transit laws, specifically 49 U.S.C. § 5332 (prohibiting discrimination based on race, color, religion, national origin, sex (including gender identity), disability, age, employment, or business opportunity).

**Appendix B  
Organizational Chart**



**Appendix C**  
**NCDOT's Compliance Review Checklist for Transit**

<b>I. Program Administration (General Requirements)</b>	
<i>Requirement: FTA C 4702.1B – Title VI Requirements and Guidelines for FTA Recipients, Chapter III – General Requirements and Guidelines.</i>	
Note: Every NCDOT subrecipient receiving any of the FTA Formula Grants listed above must complete this section.	
Requested Items (Please attach electronic documents (.pdf, .doc, etc.) or provide links to online versions)	Completed
1. A copy of the recipient's <i>signed</i> NCDOT's Title VI Nondiscrimination Agreement	<input type="checkbox"/>
2. Title VI Policy Statement ( <i>signed</i> )	<input type="checkbox"/>
3. Title VI Notice to the Public, including a list of locations where the notice is posted	<input type="checkbox"/>
4. Type the name and title of your Title VI Coordinator and attach a list of their Title VI duties <b>Name/Title:</b>	<input type="checkbox"/>
5. Title VI Complaint Procedures (i.e., instructions to the public regarding how to file a Title VI discrimination complaint)	<input type="checkbox"/>
6. Title VI Complaint Form	<input type="checkbox"/>
7. List of transit-related Title VI investigations, complaints, and lawsuits (i.e., discrimination complaints log)	<input type="checkbox"/>
8. Public Participation Plan, including information about outreach methods to engage traditionally underserved constituencies (e.g., minorities, limited English proficient populations (LEP), low-income, disabled), as well as a summary of outreach efforts made since the last Title VI Program submission	<input type="checkbox"/>
9. Language Assistance Plan for providing language assistance to persons with limited English proficiency (LEP), based on the DOT LEP Guidance, which requires conducting four-factor analyses	<input type="checkbox"/>
10. A table depicting the membership of non-elected committees and councils, the membership of which is selected by the recipient, broken down by race, and a description of the process the agency uses to encourage the participation of minorities on such committees	<input type="checkbox"/>
11. A copy of board meeting minutes, resolution, or other appropriate documentation showing the board of directors or appropriate governing entity or official(s) responsible for policy decisions <b>reviewed and approved</b> the Title VI Program	<input type="checkbox"/>
12. A description of the procedures the agency uses to ensure nondiscriminatory administration of programs and services	<input type="checkbox"/>
13. <b>If you pass through FTA funds to other organizations</b> , include a description of how you monitor your subrecipients for compliance with Title VI, and a schedule for your subrecipients' Title VI Program submissions. ➤ <b>No Subrecipients</b> <input type="checkbox"/>	<input type="checkbox"/>
14. A Title VI equity analysis <b>if you have constructed or conducted planning for a facility</b> , such as a vehicle storage facility, maintenance facility, operation center, etc. ➤ <b>No Facilities Planned or Constructed</b> <input type="checkbox"/>	<input type="checkbox"/>
15. Copies of environmental justice assessments conducted for <b>any construction projects during the past three years</b> and, if needed based on the results, a description of the program or other measures used or planned to mitigate any identified adverse impact on the minority or low-income communities	<input type="checkbox"/>

<p>➤ <b>No Construction Projects</b> <input type="checkbox"/></p>	
<p>16. If the recipient has undergone a Title VI Compliance Review in the last 3 years, please indicate the year of the last review and who conducted it. <b>Year/Agency:</b></p>	
<p><b>II. Transit Providers</b></p> <p><i>Requirement: FTA C 4702.1B, Chapter IV – Requirements and Guidelines for Fixed Route Transit Providers.</i></p> <p><b>Note:</b> All NCDOT subrecipients that provide <u>fixed route</u> public transportation services (e.g., local, express or commuter bus; bus rapid transit; commuter rail; passenger ferry) must complete this section.</p> <p>➤ <b>Not Applicable</b> <input type="checkbox"/> (Check this box if you do not provide <u>fixed route</u> services, and skip questions 17 and 18. This section does not apply to you if you <i>only</i> provide demand response services.)</p>	
<p style="text-align: center;"><b>Requested Items</b> (Please attach electronic documents (.pdf, .doc, etc.) or provide links to online versions)</p>	
<p style="text-align: right;"><b>Completed</b></p>	
<p>17. Service standards (<b>quantitative measures</b>) developed for <i>each specific fixed route mode</i> that the recipient provides (standards may vary by mode) must be submitted for each of the following indicators:</p>	
<ul style="list-style-type: none"> <li>• <b>Vehicle load for each mode</b> (Can be expressed as the ratio of passengers to the total number of seats on a vehicle. For example, on a 40-seat bus, a vehicle load of 1.3 means all seats are filled and there are approximately 12 standees.)</li> </ul>	<input type="checkbox"/>
<ul style="list-style-type: none"> <li>• <b>Vehicle headway for each mode</b> (Measured in minutes (e.g., every 15 minutes), headway refers to the amount of time between two vehicles traveling in the same direction on a given line or combination of lines. A shorter headway corresponds to more frequent service. Service frequency is measured in vehicles per hour (e.g., 4 buses per hour).)</li> </ul>	<input type="checkbox"/>
<ul style="list-style-type: none"> <li>• <b>On time performance for each mode</b> (Expressed as a percentage, this is a measure of runs completed as scheduled. The recipient must define what is considered to be “on time.” Performance can be measured against route origins and destinations only, or against origins and destinations as well as specified time points along a route.)</li> </ul>	<input type="checkbox"/>
<ul style="list-style-type: none"> <li>• <b>Service availability for each mode</b> (Refers to a general measure of the distribution of routes within a transit provider's service area, such as setting the maximum distance between bus stops or train stations, or requiring that a percentage of all residents in the service area be within a one-quarter mile walk of bus service. )</li> </ul>	<input type="checkbox"/>
<p>18. Service policies (<b>system-wide policies</b>) adopted to ensure that service design and operations practices do not result in discrimination on the basis of race, color or national origin, must be submitted for each of the following:</p>	
<ul style="list-style-type: none"> <li>• <b>Transit amenities for each mode</b> (e.g., benches, shelters/canopies, printed materials, escalators/elevators, and waste receptacles. <b>NOTE:</b> Attach this information <u>only</u> if you have decision-making authority over siting transit amenities or you set policies to determine the siting of amenities.)</li> </ul>	<input type="checkbox"/>
<ul style="list-style-type: none"> <li>• <b>Vehicle assignment for each mode</b> (Refers to the process by which transit vehicles are placed into service throughout a system. Policies for vehicle assignment may be based on the type or age of the vehicle, where age would be a proxy for condition, or on the type of service offered.)</li> </ul>	<input type="checkbox"/>

**DRUG AND ALCOHOL TESTING POLICY  
SAMPSON AREA TRANSPORTATION  
Adopted as of 4/6/2020**

**A. PURPOSE**

- 1) The Sampson Area Transportation system provides public transit and paratransit services for the residents of Sampson County. Part of our mission is to ensure that this service is delivered safely, efficiently, and effectively by establishing a drug and alcohol-free work environment, and to ensure that the workplace remains free from the effects of drugs and alcohol in order to promote the health and safety of employees and the general public. In keeping with this mission, Sampson Area Transportation declares that the unlawful manufacture, distribution, dispense, possession, or use of controlled substances or misuse of alcohol is prohibited for all employees.
  
- 2) Additionally, the purpose of this policy is to establish guidelines to maintain a drug and alcohol-free workplace in compliance with the Drug-Free Workplace Act of 1988, and the Omnibus Transportation Employee Testing Act of 1991. This policy is intended to comply with all applicable Federal regulations governing workplace anti-drug and alcohol programs in the transit industry. Specifically, the Federal Transit Administration (FTA) of the U.S. Department of Transportation has published 49 CFR Part 655, as amended, that mandates urine drug testing and breath alcohol testing for safety-sensitive positions and prohibits performance of safety-sensitive functions when there is a positive test result, or a refusal to test. The U. S. Department of Transportation (USDOT) has also published 49 CFR Part 40, as amended, that sets standards for the collection and testing of urine and breath specimens.
  
- 3) Any provisions set forth in this policy that are included under the sole authority of Sampson Area Transportation and are not provided under the authority of the above-named Federal regulations are underlined. Tests conducted under the sole authority of Sampson Area Transportation will be performed on non-USDOT forms and will be separate from USDOT testing in all respects.

**B. APPLICABILITY**

This Drug and Alcohol Testing Policy applies to all safety-sensitive employees (full- or part-time) when performing safety sensitive duties. See Attachment A for a list of employees and the authority under which they are included.



4/2020

A safety-sensitive function is operation of public transit service including the operation of a revenue service vehicle (whether or not the vehicle is in revenue service), maintenance of a revenue service vehicle or equipment used in revenue service, security personnel who carry firearms, dispatchers or persons controlling the movement of revenue service vehicles and any transit employee who operates a non-revenue service vehicle that requires a Commercial Driver's License to operate. Maintenance functions include the repair, overhaul, and rebuild of engines, vehicles and/or equipment used in revenue service. A list of safety-sensitive positions who perform one or more of the above-mentioned duties is provided in Attachment A. Supervisors are only safety sensitive if they perform one of the above functions. Volunteers are considered safety sensitive and subject to testing if they are required to hold a CDL or receive remuneration for service in excess of actual expense.

### **C. DEFINITIONS**

*Accident:* An occurrence associated with the operation of a vehicle even when not in revenue service, if as a result:

- a. An individual dies;
- b. An individual suffers a bodily injury and immediately receives medical treatment away from the scene of the accident; or,
- c. One or more vehicles incur disabling damage as the result of the occurrence and is transported away from the scene by a tow truck or other vehicle. For purposes of this definition, *disabling damage* means damage which precludes departure of any vehicle from the scene of the occurrence in its usual manner in daylight after simple repairs. Disabling damage includes damage to vehicles that could have been operated but would have been further damaged if so operated, but does not include damage which can be remedied temporarily at the scene of the occurrence without special tools or parts, tire disablement without other damage even if no spare tire is available, or damage to headlights, taillights, turn signals, horn, or windshield wipers that makes them inoperative.

*Adulterated specimen:* A specimen that has been altered, as evidence by test results showing either a substance that is not a normal constituent for that type of specimen or showing an abnormal concentration of an endogenous substance.

*Alcohol:* The intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols contained in any beverage, mixture, mouthwash, candy, food, preparation or medication.

4/2020

*Alcohol Concentration:* Expressed in terms of grams of alcohol per 210 liters of breath as indicated by a breath test under 49 CFR Part 40.

*Aliquot:* A fractional part of a specimen used for testing, it is taken as a sample representing the whole specimen.

*Canceled Test:* A drug or alcohol test that has a problem identified that cannot be or has not been corrected, or which is cancelled. A canceled test is neither positive nor negative.

*Confirmatory Drug Test:* A second analytical procedure performed on a different aliquot of the original specimen to identify and quantify the presence of a specific drug or metabolite.

*Confirmatory Validity Test:* A second test performed on a different aliquot of the original urine specimen to further support a validity test result.

*Covered Employee Under FTA Authority:* An employee who performs a safety-sensitive function including an applicant or transferee who is being considered for hire into a safety-sensitive function (See Attachment A for a list of covered employees).

*Designated Employer Representative (DER):* An employee authorized by the employer to take immediate action to remove employees from safety-sensitive duties and to make required decisions in testing. The DER also receives test results and other communications for the employer, consistent with the requirements of 49 CFR Parts 40 and 655.

*DOT, The Department, DOT Agency:* These terms encompass all DOT agencies, including, but not limited to, the Federal Aviation Administration (FAA), the Federal Railroad Administration (FRA), the Federal Motor Carrier Safety Administration (FMCSA), the Federal Transit Administration (FTA), the National Highway Traffic Safety Administration (NHTSA), the Pipeline and Hazardous Materials Safety Administration (PHMSA), and the Office of the Secretary (OST). For purposes of 49 CFR Part 40, the United States Coast Guard (USCG), in the Department of Homeland Security, is considered to be a DOT agency for drug testing purposes. These terms include any designee of a DOT agency.

*Dilute specimen:* A urine specimen with creatinine and specific gravity values that are lower than expected for human urine.

*Disabling damage:* Damage which precludes departure of any vehicle from the scene of the occurrence in its usual manner in daylight after simple repairs. Disabling damage includes damage to vehicles that could have been operated

4/2020

but would have been further damaged if so operated, but does not include damage which can be remedied temporarily at the scene of the occurrence without special tools or parts, tire disablement without other damage even if no spare tire is available, or damage to headlights, taillights, turn signals, horn, or windshield wipers that makes them inoperative.

*Evidentiary Breath Testing Device (EBT):* A device approved by the NHTSA for the evidential testing of breath at the 0.02 and the 0.04 alcohol concentrations and appears on ODAPC's Web page for "Approved Evidential Breath Measurement Devices" because it conforms with the model specifications available from NHTSA.

*Initial Drug Test: (Screening Drug Test)* The test used to differentiate a negative specimen from one that requires further testing for drugs or drug metabolites.

*Initial Specimen Validity Test:* The first test used to determine if a urine specimen is adulterated, diluted, substituted, or invalid

*Invalid Result:* The result reported by an HHS-certified laboratory in accordance with the criteria established by the HHS Mandatory Guidelines when a positive, negative, adulterated, or substituted result cannot be established for a specific drug or specimen validity test.

*Laboratory:* Any U.S. laboratory certified by HHS under the National Laboratory Certification program as meeting standards of Subpart C of the HHS Mandatory Guidelines for Federal Workplace Drug Testing Programs; or, in the case of foreign laboratories, a laboratory approved for participation by DOT under this part.

*Limit of Detection (LOD):* The lowest concentration at which a measurand can be identified, but (for quantitative assays) the concentration cannot be accurately calculated.

*Limit of Quantitation:* For quantitative assays, the lowest concentration at which the identity and concentration of the measurand can be accurately established.

*Medical Review Officer (MRO):* A licensed physician (medical doctor or doctor of osteopathy) responsible for receiving laboratory results generated by the drug testing program who has knowledge of substance abuse disorders, and has appropriate medical training to interpret and evaluate an individual's confirmed positive test result, together with his/her medical history, and any other relevant bio-medical information.

4/2020

*Negative Dilute:* A drug test result which is negative for the five drug/drug metabolites but has creatinine and specific gravity values that are lower than expected for human urine.

*Negative result:* The result reported by an HHS-certified laboratory to an MRO when a specimen contains no drug, or the concentration of the drug is less than the cutoff concentration for the drug or drug class and the specimen is a valid specimen. An alcohol concentration of less than 0.02 BAC is a negative test result.

*Non-negative test result:* A urine specimen that is reported as adulterated, substituted, invalid, or positive for drug/drug metabolites.

*Oxidizing Adulterant:* A substance that acts alone or in combination with other substances to oxidize drugs or drug metabolites to prevent the detection of the drug or metabolites or affects the reagents in either the initial or confirmatory drug test.

*Performing (a safety-sensitive function):* A covered employee is considered to be performing a safety-sensitive function and includes any period in which he or she is actually performing, ready to perform, or immediately available to perform such functions.

*Positive result:* The result reported by an HHS- Certified laboratory when a specimen contains a drug or drug metabolite equal or greater to the cutoff concentrations.

*Prohibited drug:* Identified as marijuana, cocaine, opioids, amphetamines, or phencyclidine at levels above the minimum thresholds specified in 49 CFR Part 40, as amended.

*Reconfirmed:* The result reported for a split specimen when the second laboratory is able to corroborate the original result reported for the primary specimen.

*Rejected for Testing:* The result reported by an HHS- Certified laboratory when no tests are performed for specimen because of a fatal flaw or a correctable flaw that has not been corrected.

*Revenue Service Vehicles:* All transit vehicles that are used for passenger transportation service.

*Safety-sensitive functions:* Employee duties identified as:

4/2020

- (1) The operation of a transit revenue service vehicle even when the vehicle is not in revenue service.
- (2) The operation of a non-revenue service vehicle by an employee when the operation of such a vehicle requires the driver to hold a Commercial Drivers License (CDL).
- (3) Maintaining a revenue service vehicle or equipment used in revenue service.
- (4) Controlling the movement of a revenue service vehicle and
- (5) Carrying a firearm for security purposes.

**Split Specimen Collection:** A collection in which the urine collected is divided into two separate bottles, the primary specimen (Bottle A) and the split specimen (Bottle B).

**Substance Abuse Professional (SAP):** A licensed physician (medical doctor or doctor of osteopathy) or licensed or certified psychologist, social worker, employee assistance professional, state-licensed or certified marriage and family therapist, or drug and alcohol counselor (certified by an organization listed at <https://www.transportation.gov/odapc/sap>) with knowledge of and clinical experience in the diagnosis and treatment of drug and alcohol related disorders.

**Substituted specimen:** A urine specimen with creatinine and specific gravity values that are so diminished or so divergent that they are not consistent with normal human urine.

**Test Refusal:** The following are considered a refusal to test if the employee:

- (1) Fail to appear for any test (except a pre-employment test) within a reasonable time, as determined by the employer.
- (2) Fail to remain at the testing site until the testing process is complete. An employee who leaves the testing site before the testing process commences for a pre-employment test has not refused to test.
- (3) Fail to attempt to provide a breath or urine specimen. An employee who does not provide a urine or breath specimen because he or she has left the testing site before the testing process commenced for a pre-employment test has not refused to test.
- (4) In the case of a directly-observed or monitored urine drug collection, fail to permit monitoring or observation of your provision of a specimen.
- (5) Fail to provide a sufficient quantity of urine or breath without a valid medical explanation.
- (6) Fail or decline to take a second test as directed by the collector or the employer for drug testing.
- (7) Fail to undergo a medical evaluation as required by the MRO or the employer's Designated Employer Representative (DER).
- (8) Fail to cooperate with any part of the testing process.

4/2020

- (9) Fail to follow an observer's instructions to raise and lower clothing and turn around during a directly-observed test.
- (10) Possess or wear a prosthetic or other device used to tamper with the collection process.
- (11) Admit to the adulteration or substitution of a specimen to the collector or MRO.
- (12) Refuse to sign the certification at Step 2 of the Alcohol Testing Form (ATF).
- (13) Fail to remain readily available following an accident.
- (14) As a covered employee, if the MRO reports that you have a verified adulterated or substituted test result, you have refused to take a drug test.

*Vehicle:* A bus, electric bus, van, automobile, rail car, trolley car, trolley bus, or vessel. A public transit vehicle is a vehicle used for public transportation or for ancillary services.

*Verified negative test:* A drug test result reviewed by a medical review officer and determined to have no evidence of prohibited drug use above the minimum cutoff levels established by the Department of Health and Human Services (HHS).

*Verified positive test:* A drug test result reviewed by a medical review officer and determined to have evidence of prohibited drug use above the minimum cutoff levels specified in 49 CFR Part 40 as revised.

*Validity testing:* The evaluation of the specimen to determine if it is consistent with normal human urine. Specimen validity testing will be conducted on all urine specimens provided for testing under DOT authority. The purpose of validity testing is to determine whether certain adulterants or foreign substances were added to the urine, if the urine was diluted, or if the specimen was substituted.

#### **D. EDUCATION AND TRAINING**

- 1) Every covered employee will receive a copy of this policy and will have ready access to the corresponding federal regulations including 49 CFR Parts 655 and 40, as amended. In addition, all covered employees will undergo a minimum of 60 minutes of training on the signs and symptoms of drug use including the effects and consequences of drug use on personal health, safety, and the work environment. The training also includes manifestations and behavioral cues that may indicate prohibited drug use.

4/2020

- 2) All supervisory personnel or company officials who are in a position to determine employee fitness for duty will receive 60 minutes of reasonable suspicion training on the physical, behavioral, and performance indicators of probable drug use and 60 minutes of additional reasonable suspicion training on the physical, behavioral, speech, and performance indicators of probable alcohol misuse.

## **E. PROHIBITED SUBSTANCES**

- 1) Prohibited substances addressed by this policy include the following.
  - a. Illegally Used Controlled Substance or Drugs Under the Drug-Free Workplace Act of 1988 any drug or any substance identified in Schedule I through V of Section 202 of the Controlled Substance Act (21 U.S.C. 812), and as further defined by 21 CFR 1300.11 through 1300.15 is prohibited at all times in the workplace unless a legal prescription has been written for the substance. This includes, but is not limited to: marijuana, amphetamines, opioids, phencyclidine (PCP), and cocaine, as well as any drug not approved for medical use by the U.S. Drug Enforcement Administration or the U.S. Food and Drug Administration. Illegal use includes use of any illegal drug, misuse of legally prescribed drugs, and use of illegally obtained prescription drugs. Also, the medical use of marijuana, or the use of hemp related products, which cause drug or drug metabolites to be present in the body above the minimum thresholds is a violation of this policy

Federal Transit Administration drug testing regulations (49 CFR Part 655) require that all employees covered under FTA authority be tested for marijuana, cocaine, amphetamines, opioids, and phencyclidine as described in Section H of this policy. Illegal use of these five drugs is prohibited at all times and thus, covered employees may be tested for these drugs anytime that they are on duty.

- b. Legal Drugs: The appropriate use of legally prescribed drugs and non-prescription medications is not prohibited. However, the use of any substance which carries a warning label that indicates that mental functioning, motor skills, or judgment may be adversely affected must be reported to a Sampson Area Transportation supervisor and the employee is required to provide a written release from his/her doctor or pharmacist indicating that the employee can perform his/her safety-sensitive functions.



4/2020

Alcohol: The use of beverages containing alcohol (including mouthwash, medication, food, candy) or any other substances containing alcohol in a manner which violates the conduct listed in this policy is prohibited.

**F. PROHIBITED CONDUCT**

- 1) All covered employees are prohibited from reporting for duty or remaining on duty any time there is a quantifiable presence of a prohibited drug in the body above the minimum thresholds defined in 49 CFR Part 40, as amended.
- 2) Each covered employee is prohibited from consuming alcohol while performing safety-sensitive job functions or while on-call to perform safety-sensitive job functions. If an on-call employee has consumed alcohol, they must acknowledge the use of alcohol at the time that they are called to report for duty. The covered employee will subsequently be relieved of his/her on-call responsibilities and subject to discipline for not fulfilling his/her on-call responsibilities.
- 3) The Transit Department shall not permit any covered employee to perform or continue to perform safety-sensitive functions if it has actual knowledge that the employee is using alcohol
- 4) Each covered employee is prohibited from reporting to work or remaining on duty requiring the performance of safety-sensitive functions while having an alcohol concentration of 0.04 or greater regardless of when the alcohol was consumed.
  - a. An employee with a breath alcohol concentration which measures 0.02-0.039 is not considered to have violated the USDOT-FTA drug and alcohol regulations, provided the employee hasn't consumed the alcohol within four (4) hours of performing a safety-sensitive duty. However, if a safety-sensitive employee has a breath alcohol concentration of 0.02-0.039, USDOT-FTA regulations require the employee to be removed from the performance of safety-sensitive duties until:
    - i. The employee's alcohol concentration measures less than 0.02; or
    - ii. The start of the employee's next regularly scheduled duty period, but not less than eight hours following administration of the test.
- 5) No covered employee shall consume alcohol for eight (8) hours following involvement in an accident or until he/she submits to the post-accident drug/alcohol test, whichever occurs first.



4/2020

- 6) No covered employee shall consume alcohol within four (4) hours prior to the performance of safety-sensitive job functions.
- 7) Sampson Area Transportation, under its own authority, also prohibits the consumption of alcohol at all times the employee is on duty, or anytime the employee is in uniform.
- 8) Consistent with the Drug-free Workplace Act of 1988, all Sampson Area Transportation employees are prohibited from engaging in the unlawful manufacture, distribution, dispensing, possession, or use of prohibited substances in the work place including transit system premises and transit vehicles.

#### **G. DRUG STATUTE CONVICTION**

Consistent with the Drug Free Workplace Act of 1998, all employees are required to notify the Sampson Area Transportation management of any criminal drug statute conviction for a violation occurring in the workplace within five days after such conviction. Failure to comply with this provision shall result in disciplinary action as defined in Section Q of this policy.

#### **H. TESTING REQUIREMENTS**

- 1) Analytical urine drug testing and breath testing for alcohol will be conducted as required by 49 CFR Part 40 as amended. All employees covered under FTA authority shall be subject to testing prior to performing safety-sensitive duty, for reasonable suspicion, following an accident, and random as defined in Section K, L, M, and N of this policy, and return to duty/follow-up.
- 2) A drug test can be performed any time a covered employee is on duty. A reasonable suspicion, random, or follow-up alcohol test can only be performed just before, during, or after the performance of a safety-sensitive job function. Under Sampson Area Transportation authority, a non-DOT alcohol test can be performed any time a covered employee is on duty.
- 3) All covered employees will be subject to urine drug testing and breath alcohol testing as a condition of ongoing employment with Sampson Area Transportation. Any safety-sensitive employee who refuses to comply

4/2020

with a request for testing shall be removed from duty and subject to discipline as defined in Section Q of this policy.

## **I. DRUG TESTING PROCEDURES**

- 1) Testing shall be conducted in a manner to assure a high degree of accuracy and reliability and using techniques, equipment, and laboratory facilities which have been approved by the U.S. Department of Health and Human Service (HHS). All testing will be conducted consistent with the procedures set forth in 49 CFR Part 40, as amended. The procedures will be performed in a private, confidential manner and every effort will be made to protect the employee, the integrity of the drug testing procedure, and the validity of the test result.
- 2) The drugs that will be tested for include marijuana, cocaine, opioids, amphetamines, and phencyclidine. After the identity of the donor is checked using picture identification, a urine specimen will be collected using the split specimen collection method described in 49 CFR Part 40, as amended. Each specimen will be accompanied by a DOT Custody and Control Form and identified using a unique identification number that attributes the specimen to the correct individual. The specimen analysis will be conducted at an HHS certified laboratory. An initial drug screen and validity test will be conducted on the primary urine specimen. For those specimens that are not negative, a confirmatory Gas Chromatography/Mass Spectrometry (GC/MS) or Liquid Chromatography/Mass Spectrometry (LC/MS) test will be performed. The test will be considered positive if the amounts of the drug(s) and/or its metabolites identified by the GC/MS or LC/MS test are above the minimum thresholds established in 49 CFR Part 40, as amended.
- 3) The test results from the HHS certified laboratory will be reported to a Medical Review Officer. A Medical Review Officer (MRO) is a licensed physician with detailed knowledge of substance abuse disorders and drug testing. The MRO will review the test results to ensure the scientific validity of the test and to determine whether there is a legitimate medical explanation for a confirmed positive, substitute, or adulterated test result. The MRO will attempt to contact the employee to notify the employee of the non-negative laboratory result and provide the employee with an opportunity to explain the confirmed laboratory test result. The MRO will subsequently review the employee's medical history/medical records as appropriate to determine whether there is a legitimate medical explanation for a non-negative laboratory result. If no legitimate medical explanation is

4/2020

- found, the test will be verified positive or refusal to test and reported to Sampson Area Transportation. If a legitimate explanation is found, the MRO will report the test result as negative.
- 4) If the test is invalid without a medical explanation, a retest will be conducted under direct observation. Employees do not have access to a test of their split specimen following an invalid result.
  - 5) Any covered employee who questions the results of a required drug test may request that the split sample be tested. The split sample test must be conducted at a second HHS-certified laboratory. The test must be conducted on the split sample that was provided by the employee at the same time as the primary sample. The method of collecting, storing, and testing the split sample will be consistent with the procedures set forth in 49 CFR Part 40, as amended. The employee's request for a split sample test must be made to the Medical Review Officer within 72 hours of notice of the original sample verified test result. Requests after 72 hours will only be accepted at the discretion of the MRO if the delay was due to documentable facts that were beyond the control of the employee. Sampson Area Transportation will ensure that the cost for the split specimen analysis is covered in order for a timely analysis of the sample, however Sampson Area Transportation will seek reimbursement for the split sample test from the employee.
  - 6) If the analysis of the split specimen fails to confirm the presence of the drug(s) detected in the primary specimen, if the split specimen is not able to be analyzed, or if the results of the split specimen are not scientifically adequate, the MRO will declare the original test to be canceled.
  - 7) The split specimen will be stored at the initial laboratory until the analysis of the primary specimen is completed. If the primary specimen is negative, the split will be discarded. If the primary specimen is positive, it will be retained in frozen storage for one year and the split specimen will also be retained for one year. If the primary is positive, the primary and the split will be retained for longer than one year for testing if so requested by the employee through the Medical Review Officer, or by the employer, by the MRO, or by the relevant DOT agency.
  - 8) Observed collections
    - a. Consistent with 49 CFR Part 40, as amended, collection under direct observation (by a person of the same gender) with no advance notice will occur if:

- i. The laboratory reports to the MRO that a specimen is invalid, and the MRO reports to Sampson Area Transportation that there was not an adequate medical explanation for the result;
- ii. The MRO reports to Sampson Area Transportation that the original positive, adulterated, or substituted test result had to be cancelled because the test of the split specimen could not be performed;
- iii. The laboratory reported to the MRO that the specimen was negative-dilute with a creatinine concentration greater than or equal to 2 mg/dL but less than or equal to 5 mg/dL, and the MRO reported the specimen as negative-dilute and that a second collection must take place under direct observation (see §40.197(b)(1)).
- iv. The collector observes materials brought to the collection site or the employee's conduct clearly indicates an attempt to tamper with a specimen;
- v. The temperature on the original specimen was out of range;
- vi. Anytime the employee is directed to provide another specimen because the original specimen appeared to have been tampered with.
- vii. All follow-up-tests; or
- viii. All return-to-duty tests

## **J. ALCOHOL TESTING PROCEDURES**

- 1) Tests for breath alcohol concentration will be conducted utilizing a National Highway Traffic Safety Administration (NHTSA)-approved Evidential Breath Testing device (EBT) operated by a trained Breath Alcohol Technician (BAT). A list of approved EBTs can be found on ODAPC's Web page for "Approved Evidential Breath Measurement Devices". Alcohol screening tests may be performed using a non-evidential testing device (alcohol screening device (ASD)) which is also approved by NHTSA. A list of approved ASDs can be found on ODAPC's Web page for "Approved Screening Devices to Measure Alcohol in Bodily Fluids". If the initial test indicates an alcohol concentration of 0.02 or

4/2020

greater, a second test will be performed to confirm the results of the initial test. The confirmatory test must occur on an EBT. The confirmatory test will be conducted no sooner than fifteen minutes after the completion of the initial test. The confirmatory test will be performed using a NHTSA-approved EBT operated by a trained BAT. The EBT will identify each test by a unique sequential identification number. This number, time, and unit identifier will be provided on each EBT printout. The EBT printout, along with an approved alcohol testing form, will be used to document the test, the subsequent results, and to attribute the test to the correct employee. The test will be performed in a private, confidential manner as required by 49 CFR Part 40, as amended. The procedure will be followed as prescribed to protect the employee and to maintain the integrity of the alcohol testing procedures and validity of the test result.

- 2) A confirmed alcohol concentration of 0.04 or greater will be considered a positive alcohol test and in violation of this policy. The consequences of a positive alcohol test are described in Section Q. of this policy. Even though an employee who has a confirmed alcohol concentration of 0.02 to 0.039 is not considered positive, the employee shall still be removed from duty for at least eight hours or for the duration of the work day whichever is longer and will be subject to the consequences described in Section Q of this policy. An alcohol concentration of less than 0.02 will be considered a negative test.
- 3) Sampson Area Transportation affirms the need to protect individual dignity, privacy, and confidentiality throughout the testing process. If at any time the integrity of the testing procedures or the validity of the test results is compromised, the test will be canceled. Minor inconsistencies or procedural flaws that do not impact the test result will not result in a cancelled test.
- 4) The alcohol testing form (ATF) required by 49 CFR Part 40 as amended, shall be used for all FTA required testing. Failure of an employee to sign step 2 of the ATF will be considered a refusal to submit to testing.

#### **K. PRE-EMPLOYMENT TESTING**

- 1) All applicants for covered transit positions shall undergo urine drug testing prior to performance of a safety-sensitive function.
  - a. All offers of employment for covered positions shall be extended conditional upon the applicant passing a drug test. An applicant will

not be allowed to perform safety-sensitive functions unless the applicant takes a drug test with verified negative results.

- b. An employee shall not be placed, transferred or promoted into a position covered under FTA authority or company authority until the employee takes a drug test with verified negative results.
- c. If an applicant fails a pre-employment drug test, the conditional offer of employment shall be rescinded, and the applicant will be provided with a list of at least two (2) USDOT qualified Substance Abuse Professionals. Failure of a pre-employment drug test will disqualify an applicant for employment for a period of at least one year. Before being considered for future employment the applicant must provide the employer proof of having successfully completed a referral, evaluation and treatment plan as described in section 655.62 of subpart G. The cost for the assessment and any subsequent treatment will be the sole responsibility of the applicant.
- d. When an employee being placed, transferred, or promoted from a non-covered position to a position covered under FTA authority or company authority submits a drug test with a verified positive result, the employee shall be subject to disciplinary action in accordance with Section Q herein.
- e. If a pre-employment test is canceled, Sampson Area Transportation will require the applicant to take and pass another pre-employment drug test.
- f. In instances where a FTA covered employee does not perform a safety-sensitive function for a period of 90 consecutive days or more regardless of reason, and during that period is not in the random testing pool the employee will be required to take a pre-employment drug test under 49 CFR Part 655 and have negative test results prior to the conduct of safety-sensitive job functions.
- g. Following a negative dilute the employee will be required to undergo another test. Should this second test result in a negative dilute result, the test will be considered a negative and no additional testing will be required unless directed to do so by the MRO.
- h. Applicants are required (even if ultimately not hired) to provide *Sampson Area Transportation* with signed written releases requesting USDOT drug and alcohol records from all previous, USDOT-covered, employers that the applicant has worked for

within the last two years. Failure to do so will result in the employment offer being rescinded. *Sampson Area Transportation* is required to ask all applicants (even if ultimately not hired) if they have tested positive or refused to test on a pre-employment test for a USDOT covered employer within the last two years. If the applicant has tested positive or refused to test on a pre-employment test for a USDOT covered employer, the applicant must provide Sampson Area Transportation proof of having successfully completed a referral, evaluation and treatment plan as described in section 655.62 of subpart G.

#### **L. REASONABLE SUSPICION TESTING**

- 1) All Sampson Area Transportation FTA covered employees will be subject to a reasonable suspicion drug and/or alcohol test when the employer has reasonable suspicion to believe that the covered employee has used a prohibited drug and/or engaged in alcohol misuse. Reasonable suspicion shall mean that there is objective evidence, based upon specific, contemporaneous, articulable observations of the employee's appearance, behavior, speech or body odor that are consistent with possible drug use and/or alcohol misuse. Reasonable suspicion referrals must be made by one or more supervisors who are trained to detect the signs and symptoms of drug and alcohol use, and who reasonably concludes that an employee may be adversely affected or impaired in his/her work performance due to possible prohibited substance abuse or alcohol misuse. A reasonable suspicion alcohol test can only be conducted just before, during, or just after the performance of a safety-sensitive job function. However, under Sampson Area Transportation authority, a non-DOT reasonable suspicion alcohol test may be performed any time the covered employee is on duty. A reasonable suspicion drug test can be performed any time the covered employee is on duty.
  
- 2) Sampson Area Transportation shall be responsible for transporting the employee to the testing site. Supervisors should avoid placing themselves and/or others into a situation which might endanger the physical safety of those present. The employee shall be placed on administrative leave pending disciplinary action described in Section Q of this policy. An employee who refuses an instruction to submit to a drug/alcohol test shall not be permitted to finish his or her shift and shall immediately be placed on administrative leave pending disciplinary action as specified in Section Q of this policy.



- 3) A written record of the observations which led to a drug/alcohol test based on reasonable suspicion shall be prepared and signed by the supervisor making the observation. This written record shall be submitted to the Sampson Area Transportation.
- 4) When there are no specific, contemporaneous, articulable objective facts that indicate current drug or alcohol use, but the employee (who is not already a participant in a treatment program) admits the abuse of alcohol or other substances to a supervisor in his/her chain of command, the employee shall be referred for assessment and treatment consistent with Section Q of this policy. Sampson Area Transportation shall place the employee on administrative leave in accordance with the provisions set forth under Section Q of this policy. Testing in this circumstance would be performed under the direct authority of the Sampson Area Transportation. **Since the employee self-referred to management, testing under this circumstance would not be considered a violation of this policy or a positive test result under Federal authority.** However, self-referral does not exempt the covered employee from testing under Federal authority as specified in Sections L through N of this policy or the associated consequences as specified in Section Q.

#### **M. POST-ACCIDENT TESTING**

- 1) FATAL ACCIDENTS – A covered employee will be required to undergo urine and breath testing if they are involved in an accident with a transit vehicle, whether or not the vehicle is in revenue service at the time of the accident, that results in a fatality. This includes all surviving covered employees that are operating the vehicle at the time of the accident and any other whose performance could have contributed to the accident, as determined by the employer using the best information available at the time of the decision.
- 2) NON-FATAL ACCIDENTS - A post-accident test of the employee operating the public transportation vehicle will be conducted if an accident occurs and at least one of the following conditions is met:
  - a. The accident results in injuries requiring immediate medical treatment away from the scene, unless the covered employee can be completely discounted as a contributing factor to the accident.
  - b. One or more vehicles incurs disabling damage as a result of the occurrence and must be transported away from the scene, unless the covered employee can be completely discounted as a contributing factor to the accident



4/2020

In addition, any other covered employee whose performance could have contributed to the accident, as determined by the employer using the best information available at the time of the decision, will be tested.

As soon as practicable following an accident, as defined in this policy, the transit supervisor investigating the accident will notify the transit employee operating the transit vehicle and all other covered employees whose performance could have contributed to the accident of the need for the test. The supervisor will make the determination using the best information available at the time of the decision.

The appropriate transit supervisor shall ensure that an employee, required to be tested under this section, is tested as soon as practicable, but no longer than eight (8) hours of the accident for alcohol, and no longer than 32 hours for drugs. If an alcohol test is not performed within two hours of the accident, the Supervisor will document the reason(s) for the delay. If the alcohol test is not conducted within (8) eight hours, or the drug test within 32 hours, attempts to conduct the test must cease and the reasons for the failure to test documented.

Any covered employee involved in an accident must refrain from alcohol use for eight (8) hours following the accident, or until he/she undergoes a post-accident alcohol test.

An employee who is subject to post-accident testing who fails to remain readily available for such testing, including notifying a supervisor of his or her location if he or she leaves the scene of the accident prior to submission to such test, may be deemed to have refused to submit to testing.

Nothing in this section shall be construed to require the delay of necessary medical attention for the injured following an accident, or to prohibit an employee from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident, or to obtain necessary emergency medical care.

In the rare event that Sampson Area Transportation is unable to perform an FTA drug and alcohol test (i.e., employee is unconscious, employee is detained by law enforcement agency), Sampson Area Transportation may use drug and alcohol post-accident test results administered by local law enforcement officials in lieu of the FTA test. The local law enforcement officials must have independent authority for the test and the employer must obtain the results in conformance with local law.

## **N. RANDOM TESTING**

4/2020

- 1) All covered employees will be subjected to random, unannounced testing. The selection of employees shall be made by a scientifically valid method of randomly generating an employee identifier from the appropriate pool of safety-sensitive employees. Employees who may be covered under company authority will be selected from a pool of non-DOT-covered employees.
- 2) The dates for administering unannounced testing of randomly selected employees shall be spread reasonably throughout the calendar year, day of the week and hours of the day.
- 3) The number of employees randomly selected for drug/alcohol testing during the calendar year shall be not less than the percentage rates set each year by the FTA administrator. The current year testing rates can be viewed online at <https://www.transportation.gov/odapc/random-testing-rates>.
- 4) Each covered employee shall be in a pool from which the random selection is made. Each covered employee in the pool shall have an equal chance of selection each time the selections are made. Employees will remain in the pool and subject to selection, whether or not the employee has been previously tested. There is no discretion on the part of management in the selection.
- 5) Covered transit employees that fall under the Federal Transit Administration regulations will be included in one random pool maintained separately from the testing pool of non-safety-sensitive employees that are included solely under Sampson Area Transportation authority.
- 6) Random tests can be conducted at any time during an employee's shift for drug testing. Alcohol random tests can only be performed just before, during, or just after the performance of a safety sensitive duty. However, under Sampson Area Transportation authority, a non-DOT random alcohol test may be performed any time the covered employee is on duty. Testing can occur during the beginning, middle, or end of an employee's shift.
- 7) Employees are required to proceed immediately to the collection site upon notification of their random selection.

## **O. RETURN-TO-DUTY TESTING**

4/2020

Sampson Area Transportation will terminate the employment of any employee that tests positive or refuses a test as specified in section Q of this policy. However, in the rare event an employee is reinstated with court order or other action beyond the control of the transit system, the employee must complete the return-to-duty process prior to the performance of safety-sensitive functions. All covered employees who previously tested positive on a drug or alcohol test or refused a test, must test negative for drugs, alcohol (below 0.02 for alcohol), or both and be evaluated and released by the Substance Abuse Professional before returning to work. Following the initial assessment, the SAP will recommend a course of rehabilitation unique to the individual. The SAP will recommend the return-to-duty test only when the employee has successfully completed the treatment requirement and is known to be drug and alcohol-free and there are no undue concerns for public safety. The SAP will determine whether the employee returning to duty will require a return-to-duty drug test, alcohol test, or both.

#### **P. FOLLOW-UP TESTING**

Covered employees that have returned to duty following a positive or refused test will be required to undergo frequent, unannounced drug and/or alcohol testing following their return-to-duty test. The follow-up testing will be performed for a period of one to five years with a minimum of six tests to be performed the first year. The frequency and duration of the follow-up tests (beyond the minimums) will be determined by the SAP reflecting the SAP's assessment of the employee's unique situation and recovery progress. Follow-up testing should be frequent enough to deter and/or detect a relapse. Follow-up testing is separate and in addition to the random, post-accident, reasonable suspicion and return-to-duty testing.

In the instance of a self-referral or a management referral, the employee will be subject to non-USDOT follow-up tests and follow-up testing plans modeled using the process described in 49 CFR Part 40. However, all non-USDOT follow-up tests and all paperwork associated with an employee's return-to-work agreement that was not precipitated by a positive test result (or refusal to test) does not constitute a violation of the Federal regulations will be conducted under company authority and will be performed using non-DOT testing forms.

#### **Q. RESULT OF DRUG/ALCOHOL TEST**

- 1) Any covered employee that has a verified positive drug or alcohol test, or test refusal, will be removed from his/her safety-sensitive position, informed of educational and rehabilitation programs available, and will be

4/2020

provided with a list of at least two (2) USDOT qualified Substance Abuse Professionals (SAP) for assessment, and will be terminated.

- 2) Following a negative dilute the employee will be required to undergo another test. Should this second test result in a negative dilute result, the test will be considered a negative and no additional testing will be required unless directed to do so by the MRO.
- 3) Refusal to submit to a drug/alcohol test shall be considered equivalent to a positive test result and a direct act of insubordination and shall result in termination and referral to a list of USDOT qualified SAPs. A test refusal includes the following circumstances:
  - a. Fail to appear for any test (except a pre-employment test) within a reasonable time, as determined by the employer.
  - b. Fail to remain at the testing site until the testing process is complete. An employee who leaves the testing site before the testing process commences for a pre-employment test has not refused to test.
  - c. Fail to attempt to provide a breath or urine specimen. An employee who does not provide a urine or breath specimen because he or she has left the testing site before the testing process commenced for a pre-employment test has not refused to test.
  - d. In the case of a directly-observed or monitored urine drug collection, fail to permit monitoring or observation of your provision of a specimen.
  - e. Fail to provide a sufficient quantity of urine or breath without a valid medical explanation.
  - f. Fail or decline to take a second test as directed by the collector or the employer for drug testing.
  - g. Fail to undergo a medical evaluation as required by the MRO or the employer's Designated Employer Representative (DER).
  - h. Fail to cooperate with any part of the testing process.
  - i. Fail to follow an observer's instructions to raise and lower clothing and turn around during a directly-observed test.
  - j. Possess or wear a prosthetic or other device used to tamper with the collection process.
  - k. Admit to the adulteration or substitution of a specimen to the collector or MRO.
  - l. Refuse to sign the certification at Step 2 of the Alcohol Testing Form (ATF).
  - m. Fail to remain readily available following an accident.

As a covered employee, if the MRO reports that you have a verified adulterated or substituted test result, you have refused to take a drug test.

- 4) An alcohol test result of  $\geq 0.02$  to  $\leq 0.039$  BAC shall result in the removal of the employee from duty for eight hours or the remainder or the work day whichever is longer. The employee will not be allowed to return to safety-sensitive duty for his/her next shift until he/she submits to a NONDOT alcohol test with a result of less than 0.02 BAC.
  
- 5) In the instance of a self-referral or a management referral, disciplinary action against the employee shall include:
  - a. Mandatory referral for an assessment by an employer approved counseling professional for assessment, formulation of a treatment plan, and execution of a return to work agreement;
  - b. Failure to execute or remain compliant with the return-to-work agreement shall result in termination from Sampson Area Transportation employment.
    - i. Compliance with the return-to-work agreement means that the employee has submitted to a drug/alcohol test immediately prior to returning to work; the result of that test is negative; the employee is cooperating with his/her recommended treatment program; and, the employee has agreed to periodic unannounced follow-up testing as described in Section P of this policy; however, all follow-up testing performed as part of a return-to-work agreement required under section Q of this policy is under the sole authority of Sampson Area Transportation and will be performed using non-DOT testing forms.
  - c. Refusal to submit to a periodic unannounced follow-up drug/alcohol test shall be considered a direct act of insubordination and shall result in termination. **All tests conducted as part of the return to work agreement will be conducted under company authority and will be performed using non-DOT testing forms.**
  - d. **A self-referral or management referral to the employer's counseling professional that was not precipitated by a positive test result does not constitute a violation of the Federal regulations and will not be considered as a positive test result in relation to the progressive discipline defined in Section Q of this policy.**
  - e. Periodic unannounced follow-up drug/alcohol testing conducted as a result of a self-referral or management referral which results in a verified positive shall be considered a positive test result in relation to the progressive discipline defined in Section Q of this policy.

4/2020

- f. A Voluntary Referral does not shield an employee from disciplinary action or guarantee employment with Sampson Area Transportation.
  - g. A Voluntary Referral does not shield an employee from the requirement to comply with drug and alcohol testing.
- 6) Failure of an employee to report within five days a criminal drug statute conviction for a violation occurring in the workplace shall result in termination.

## **R. GRIEVANCE AND APPEAL**

The consequences specified by 49 CFR Part 40.149 (c) for a positive test or test refusal is not subject to arbitration.

## **S. PROPER APPLICATION OF THE POLICY**

Sampson Area Transportation is dedicated to assuring fair and equitable application of this substance abuse policy. Therefore, supervisors/managers are required to use and apply all aspects of this policy in an unbiased and impartial manner. Any supervisor/manager who knowingly disregards the requirements of this policy, or who is found to deliberately misuse the policy in regard to subordinates, shall be subject to disciplinary action, up to and including termination.

## **T. INFORMATION DISCLOSURE**

- 1) Drug/alcohol testing records shall be maintained by the Sampson Area Transportation Drug and Alcohol Program Manager and, except as provided below or by law, the results of any drug/alcohol test shall not be disclosed without express written consent of the tested employee.
- 2) The employee, upon written request, is entitled to obtain copies of any records pertaining to their use of prohibited drugs or misuse of alcohol including any drug or alcohol testing records. Covered employees have the right to gain access to any pertinent records such as equipment calibration records, and records of laboratory certifications. Employees may not have access to SAP follow-up testing plans.
- 3) Records of a verified positive drug/alcohol test result shall be released to the Drug and Alcohol Program Manager, and other transit system management personnel on a need to know basis.

- 4) Records will be released to a subsequent employer only upon receipt of a written request from the employee.
- 5) Records of an employee's drug/alcohol tests shall be released to the adjudicator in a grievance, lawsuit, or other proceeding initiated by or on behalf of the tested individual arising from the results of the drug/alcohol test. The records will be released to the decision maker in the proceeding.
- 6) Records will be released to the National Transportation Safety Board during an accident investigation.
- 7) Information will be released in a criminal or civil action resulting from an employee's performance of safety-sensitive duties, in which a court of competent jurisdiction determines that the drug or alcohol test information is relevant to the case and issues an order to the employer to release the information. The employer will release the information to the decision maker in the proceeding with a binding stipulation that it will only be released to parties of the proceeding.
- 8) Records will be released to the DOT or any DOT agency with regulatory authority over the employer or any of its employees.
- 9) Records will be released if requested by a Federal, state or local safety agency with regulatory authority over Sampson Area Transportation or the employee.
- 10) If a party seeks a court order to release a specimen or part of a specimen contrary to any provision of Part 40 as amended, necessary legal steps to contest the issuance of the order will be taken
- 11) In cases of a contractor or sub-recipient of a state department of transportation, records will be released when requested by such agencies that must certify compliance with the regulation to the FTA.

This Policy was adopted by the *Sampson County Board of Commissioners* on *April 6, 2020*.

---

Chairman, Sampson County BOC

---

Date



## Attachment A

<u>Job Title</u>	<u>Job Duties</u>	<u>Testing Authority</u>
Transportation Director		SAT (Non-DOT)
Transportation Supervisor		DOT-FTA
Transportation Office Manager		DOT-FTA
Administrative Support Specialist	Secretary/Receptionist	DOT-FTA
Administrative Support Specialist		DOT-FTA
Administrative Support Specialist		DOT-FTA
Transportation Drivers		DOT-FTA

## **Attachment B Contacts**

Any questions regarding this policy or any other aspect of the substance abuse policy should be directed to the following individual(s).

### **Sampson Area Transportation Drug and Alcohol Program Manager**

Name: Jeff Sawvel

Title: Transportation Supervisor

Address: 311 County Complex Rd. Building H Clinton, NC 28328

Telephone Number: 910-299-0127

### **Medical Review Officer**

Name: Dr. Martin DeGraw

Title: Doctor of Medicine/Certified Medical Review Officer

Address: 709 Simmons St. Goldsboro, NC 27530

Telephone Number: 919-735-0094

### **Substance Abuse Professional**

Name: Ms. Trina McDonald

Title: MS Professional Counseling, LCAS-A, NCAC II, SAP/DOT, SAE/NRC

Address: 1020 Rankin St. #412, Wilmington, Nc 28401

Telephone Number: 910-833-8624

### **HHS Certified Laboratory Primary Specimen**

Name: Alere Toxicology Services

Address: 1111 Newton St. Gretna, La. 70053

Telephone Number: 504-361-8989

### **HHS Certified Laboratory Split Specimen**

Name: Alere Toxicology Services

Address: 1111 Newton St. Gretna, La. 70053

Telephone Number: 504-361-8989

Sampson County  
**Office of Tax Assessor**  
PO Box 1082  
Clinton, NC 28329

Phone 910-592-8146

Fax 910-592-1227

To: Ed Causey, County Manager  
From: Jim Johnson, Tax Administrator  
Date: March 24, 2020  
Subject: Late Property Tax Exemption Application

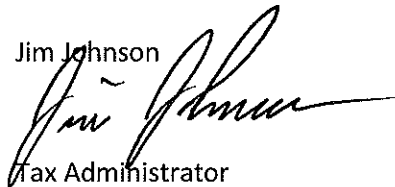
Warren Solar Farm, LLC submitted a late business personal property tax listing and a late property tax exemption application on March 13, 2020. The 2020 property tax listing period ended on January 31, 2020.

The taxpayer meets all exemption requirements for General Statute 105-275(45), Eighty percent (80%) of the appraised value of a solar energy electric system is excluded from the tax base.

The taxpayer has submitted an email explaining in detail why the personal property assets were not timely filed and requesting approval of the late property tax exemption application.

I would recommend approval of the late property tax exemption request. However, my recommendation would not include the waiving of late list penalties to remain consistent with past practices.

Jim Johnson



Tax Administrator

Jim Johnson

---

**From:** Garces, Rafael <rgarces@deloitte.com>  
**Sent:** Friday, March 20, 2020 10:08 AM  
**To:** Jim Johnson  
**Cc:** olga.bukharina@solsystems.com; Bartley Higgins  
**Subject:** Warren Solar Farm, LLC

Dear Mr. Johnson,

Thank you for taking time to speak with Olga, Bartley, and me earlier today about the 2020 Business Personal Property Listing for Warren Solar Farm, LLC which is located at 248 West Grove Street, Newton Grove, NC 28336. This is a new taxpayer in Sampson County since the business became operational on July 9, 2019.

Taxpayer hereby respectfully requests that the Sampson County Board of Commissioners (the "Board") waive the late filing penalty. In addition, the taxpayer respectfully requests that the late filed Application for Property Tax Exclusion under G.S. 105-275(45) Solar Energy Electric System be approved and be effective for the 2020 tax year.

By way of argument in favor of waiving the late filing penalty and for approving the 80% solar energy exclusion for 2020, we ask the Board to consider the following facts:

1. Taxpayer intended to file a timely request for an extension to file its 2020 Business Personal Property Tax Listing form with Sampson County. However, at the time that an extension letter was prepared, there was a personnel change at the taxpayer. This caused some confusion where the taxpayer thought that the extension letter had been mailed, when in fact it had not been mailed.
2. As soon as the taxpayer learned that the extension letter had not been mailed, they promptly prepared both the listing form and the solar energy exclusion and filed them with Sampson County.
3. Sampson County received the listing form and the solar energy exclusion application on March 13, 2020.
4. Mr. Jim Johnson, Tax Administrator for Sampson County contacted the taxpayer via email on March 17 to inquire about the filings.
5. Via email exchanges and conference calls between the taxpayer and Mr. Johnson, taxpayer confirmed the above information and answered his questions about the status of this taxpayer (and the property) within Sampson County.
6. Taxpayer is committed to the timely filing of all tax forms and to the payment of all taxes and apologizes to the tax assessor and to this Board for the late filing of forms for this year.

Thank you for your consideration of this matter.

We look forward to hearing the Board's decision on these requests after its meeting on April 6<sup>th</sup>.

Thank you,

**Rafael L. Garces**

Sr. Manager | Multi-State Tax | Property Tax  
Deloitte Tax  
7900 Tysons One Place, Suite 800, McLean, VA 22102  
Tel/Direct: +1 571-766-7711 | Mobile: +1 571-407-0812  
rgarces@deloitte.com | www.deloitte.com

Have to JJ 3/17/20

### APPLICATION FOR PROPERTY TAX EXEMPTION OR EXCLUSION

County: SAMPSON Municipality: \_\_\_\_\_ Application for Tax Year: 2020

Full Name of Owner(s): \_\_\_\_\_

Trade Name of Business: Warren Solar Farm, LLC

Mailing Address of Owner: c/o Sol Systems, LLC 1101 Connecticut Ave NW, Washington DC 20036

Phone: (202) 349-2085 Cell: \_\_\_\_\_ Email: Yuri.Horwitz@solsystems.com

List the property identification numbers and addresses/locations for the properties included in this application. (Attach list if needed.)

Property ID #: NEW 2020 Address/Location: 248 West Grove St Newton Grove, NC 28336

Property ID #: \_\_\_\_\_ Address/Location: \_\_\_\_\_

Property ID #: \_\_\_\_\_ Address/Location: \_\_\_\_\_

**Non-Deferment Exemptions and Exclusions:** Select or annotate the exemption or exclusion for which this application is made. These exemptions or exclusions do not result in the creation of deferred taxes. However, taxes for prior years of exemption or exclusion may be recoverable if it is later determined that the property did not qualify for exemption or exclusion for those prior years.

- |  |  |  |                                     |
|--|--|--|-------------------------------------|
| <input type="checkbox"/> G.S. 105-275(8)             | Pollution abatement/recycling            | <input type="checkbox"/> G.S. 105-278.5  | Religious educational assemblies    |
| <input type="checkbox"/> G.S. 105-275(17)            | Veterans organizations                   | <input type="checkbox"/> G.S. 105-278.6  | Home for the aged, sick, or infirm  |
| <input type="checkbox"/> G.S. 105-275(18),(19)       | Lodges, fraternal & civic purposes       | <input type="checkbox"/> G.S. 105-278.6  | Low- or moderate-income housing     |
| <input type="checkbox"/> G.S. 105-275(20)            | Goodwill Industries                      | <input type="checkbox"/> G.S. 105-278.6  | YMCA, SPCA, VFD, orphanage          |
| <input checked="" type="checkbox"/> G.S. 105-275(45) | Solar energy electric system             | <input type="checkbox"/> G.S. 105-278.6A | CCRC-Attach Form AV-11              |
| <input type="checkbox"/> G.S. 105-275(46)            | Charter school property                  | <input type="checkbox"/> G.S. 105-278.7  | Other charitable, educational, etc. |
| <input type="checkbox"/> G.S. 105-277.13             | Brownfields-Attach brownfields agreement | <input type="checkbox"/> G.S. 105-278.8  | Charitable hospital purposes        |
| <input type="checkbox"/> G.S. 105-278.3              | Religious purposes                       | <input type="checkbox"/> G.S. 131A-21    | Medical Care Commission bonds       |
| <input type="checkbox"/> G.S. 105-278.4              | Educational purposes (institutional)     | <input type="checkbox"/> Other: _____    |                                     |


**Tax Deferment Programs:** Select the tax deferment program for which this application is made. \*\* These programs will result in the creation of deferred taxes that will become immediately due and payable, *with interest*, when the property loses eligibility. The number of years for which deferred taxes will become due and payable varies by program. Read the applicable statutes carefully. \*\*

- |  |   |
|--|---|
| <input type="checkbox"/> G.S. 105-275(12)  | Nonprofit corporation or association organized to receive and administer lands for conservation purposes    |
| <input type="checkbox"/> G.S. 105-275(29a) | Historic district property held as a future site of a historic structure                                    |
| <input type="checkbox"/> G.S. 105-277.14   | Working waterfront property   |
| <input type="checkbox"/> G.S. 105-277.15A  | Site infrastructure land  |
| <input type="checkbox"/> G.S. 105-278      | Historic property-Attach copy of the local ordinance designating property as historic property or landmark. |
| <input type="checkbox"/> G.S. 105-278.6(e) | Nonprofit property held as a future site of low- or moderate-income housing                                 |

Describe the property:  
Solar energy electric system

Describe how you are using the property: (If another organization is using the property, give their name, how they are using the property, and any income you receive from their use)  
Property used to produce solar energy

**Affirmation:** I, the undersigned, declare under penalties of law that this application and any attachments are true and correct to the best of my knowledge and belief. I have read the applicable exemption or exclusion statute. I fully understand that an ineligible transfer of the property or failure to meet the qualifications will result in the loss of eligibility. If applying for a tax deferment program, I fully understand that loss of eligibility will result in removal from the program and the immediate billing of deferred taxes.

Signature(s) of Owner(s):  Title: Chief Executive Officer Date: 3/9/2020  
All tenants of a tenancy \_\_\_\_\_ Title: \_\_\_\_\_ Date: \_\_\_\_\_  
in common must sign. \_\_\_\_\_ Title: \_\_\_\_\_ Date: \_\_\_\_\_

DO NOT submit this application to the NC Department of Revenue. Submit to the county assessor where the property is located.

**COUNTY OF Sampson North Carolina BUSINESS PERSONAL PROPERTY LISTING**

FOR DEPARTMENT USE ONLY	ACCOUNT NUMBER	DATE	TWP	DISTRICT	CITY	PENALTY	VALUE
1	2	3	4	5	6	7	
8	B	D	E	F	TOTAL		<i>MJB</i>

Business Legal Name or Individual's Name **Account: NEW 2020**

Warren Solar Farm, LLC Warren Solar Farm  
 Trade Name or DBA

Warren Solar Farm, LLC  
 Address

c/o Sol Systems, LLC 1101 Connecticut Ave NW  
 City

Washington DC 20036

**RECEIVED**  
 POSTMARK DATE  
 MAR-13-2020  
*Penalty*  
**SAMPSON COUNTY TAX OFFICE**

PRINCIPAL BUSINESS IN THIS COUNTY **Solar Renewable Energy**

SIC # OR NAICS CODE 425120

DATE BUSINESS BEGAN IN THIS COUNTY 07/09/2019

DATE BUSINESS (FISCAL) YEAR ENDS

FILL IN APPLICABLE CIRCLE:

PARTNERSHIP  SOLE PROPRIETORSHIP  UNINCORPORATED ASSOCIATION

LLC

CORPORATION  OTHER (SPECIFY)

FILL IN APPLICABLE CIRCLE: BUSINESS CATEGORY

RETAIL  WHOLESALE  MANUFACTURING

SERVICE  LEASING/RENTAL  FARMING

OTHER (SPECIFY) **Solar Renewable Energy**

IF OUT OF BUSINESS COMPLETE THIS SECTION

DATE CEASED

FILL IN APPLICABLE CIRCLE:

SOLD  CLOSED  BANKRUPT  OTHER

SOLD EQUIPMENT, FIXTURES, SUPPLIES TO

BUYER'S ADDRESS & PHONE

OTHER N.C. COUNTIES WHERE PERSONAL PROPERTY IS LOCATED

None

CONTACT PERSON FOR AUDIT **Olga Bukharina**

ADDRESS & PHONE 1101 Connecticut Ave NW, Washington DC 20036 (202) 349-2085

CONTACT PERSON FOR PAYMENT & PHONE **Olga Bukharina** (202) 349-2085

PHYSICAL ADDRESS 248 West Grove St Newton Grove, NC 28336

REAL ESTATE OWNED BY

NAME IN WHICH BUSINESS WAS LISTED LAST YEAR **Initial Year Filing In 2020**

NOTE: Business owners who acquired an existing business in the previous year must contact the county tax office for important listing instructions. Click on the link below for a list of county tax office phone numbers and addresses.

**SCHEDULE A PERSONAL PROPERTY - SEE INSTRUCTIONS**

YEAR ACQUIRED	GROUP (1) MACHINERY & EQUIPMENT			
	PRIOR YR. COST	ADDITIONS	DELETIONS	CURR. YR. COST
2019		6,518,097		6,518,097
2018				
2017				
2016				
2015				
2014				
2013				
2012				
2011				
2010				
2009				
2008				
2007				
2006				
2005				
2004				
PRIOR				
TOTAL	0	6,518,097	0	6,518,097

YEAR ACQUIRED	GROUP (3) OFFICE FURNITURE & FIXTURES			
	PRIOR YR. COST	ADDITIONS	DELETIONS	CURR. YR. COST
2019				
2018				
2017				
2016				
2015				
2014				
2013				
PRIOR				
TOTAL	0	0	0	0

YEAR ACQUIRED	GROUP (4) COMPUTER EQUIPMENT			
	PRIOR YR. COST	ADDITIONS	DELETIONS	CURR. YR. COST
2019				
2018				
2017				
2016				
PRIOR				
TOTAL	0	0	0	0

**GROUP (2) CONSTRUCTION IN PROGRESS**

LIST TOTAL OF ALL PERSONAL PROPERTY EXPENDITURES IN CIP ACCOUNT ON JANUARY 1, BUT NOT INCLUDED ABOVE - ITEMIZE IN SCHEDULE G

TOTAL CIP: \$

**DO NOT REMIT THIS FORM TO NC DEPARTMENT OF REVENUE**

County addresses and additional schedules are available at:  
<https://www.ncdor.gov/documents/north-carolina-county-assessors-list>

Send to appropriate county tax office.

**OFFICE OF THE SAMPSON COUNTY TAX ADMINISTRATOR**

P. O. BOX 1082 - CLINTON, NORTH CAROLINA 28329-1082

9255

**JIM JOHNSON**  
Tax Administrator

Telephone 910-592-8146  
910-592-8147

SAMPSON COUNTY BOARD OF COMMISSIONERS  
406 COUNTY COMPLEX ROAD, BUILDING C  
CLINTON, NORTH CAROLINA 28328

Members:

Pursuant to North Carolina G. S. 105-381, I hereby demand refund and remission of taxes assessed and collected by Sampson County against the property owned by Prestage Farms Inc in \_\_\_\_\_ Township, Sampson County, for the year(s) and in the amount(s) of:

YEAR	
① 2019	\$ 84.45
② 2019	\$ 84.45
③ 2018	\$ 13.05
④ 2018	\$ 7.27
⑤ 2018	\$ 33.84
TOTAL REFUND \$ 223.06	

These taxes were assessed through clerical error as follows.

Bill # 0006723660  
PT # KM9000  
PT Turn in sold  
08 INTL TR

③ Bill # 0016460608  
WWS126  
PT Turn in  
06 061V TR

Bill # 0006712432  
PT # VHL6238  
PT Turn in sold  
08 INTL TR

④ 0016460557  
WV7863  
PT turn in sold  
01 KW TR

⑤ 0016460548  
WV2804  
PT turn in  
08 KW TR


60 County Tax 200.56  
School Tax \_\_\_\_\_  
F23 Fire Tax 22.50  
City Tax \_\_\_\_\_  
TOTAL \$ 223.06

Mailing Address.

X Prestage Farms Inc  
P O Box 438  
Clinton NC 28329

Yours very truly  
X Prestage Farms Inc  
Taxpayer Dammun Thourden, Corporate Controller

Tax ID  
Social Security

RECOMMEND APPROVAL:  
  
Sampson County Tax Administrator

Board Approved \_\_\_\_\_  
Date \_\_\_\_\_ Initials \_\_\_\_\_

**OFFICE OF THE SAMPSON COUNTY TAX ADMINISTRATOR**

P. O. BOX 1082 - CLINTON, NORTH CAROLINA 28329-1082

9262

JIM JOHNSON  
Tax Administrator

Telephone 910-592-8146  
910-592-8147

SAMPSON COUNTY BOARD OF COMMISSIONERS  
406 COUNTY COMPLEX ROAD, BUILDING C  
CLINTON, NORTH CAROLINA 28328

Members:

Pursuant to North Carolina G. S. 105-381, I hereby demand refund and remission of taxes assessed and collected by Sampson County against the property owned by Rhonda Blackman in \_\_\_\_\_ Township, Sampson County, for the year(s) and in the amount(s) of:

YEAR	
<u>2019</u>	\$ <u>133.22</u>
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
TOTAL REFUND	\$ <u>133.22</u>

These taxes were assessed through clerical error as follows.

ill #0051911088

late # PBP4665

late turn in (Repoed)

2016 MISS MP

60r County Tax 120.78  
 School Tax \_\_\_\_\_  
 F15 Fire Tax 12.44  
 City Tax \_\_\_\_\_  
 TOTAL \$ 133.22

Mailing Address.

A 397 Bud Johnson Rd  
Newton Grove NC 28366

Yours very truly

Rhonda Blackman  
Taxpayer

Social Security: \_\_\_\_\_

RECOMMEND APPROVAL:

Jim Johnson  
Sampson County Tax Administrator

Board Approved \_\_\_\_\_  
Date \_\_\_\_\_ Initials \_\_\_\_\_



**OFFICE OF THE SAMPSON COUNTY TAX ADMINISTRATOR**

P. O. BOX 1082 - CLINTON, NORTH CAROLINA 28329-1082

9243

JIM JOHNSON  
Tax Administrator

Telephone 910-592-8146  
910-592-8147

SAMPSON COUNTY BOARD OF COMMISSIONERS  
406 COUNTY COMPLEX ROAD, BUILDING C  
CLINTON, NORTH CAROLINA 28328

Members:

Pursuant to North Carolina G. S. 105-381, I hereby demand refund and remission of taxes assessed and collected by Sampson County against the property owned by Carr, Henry J., Jr. in McDaniels Township, Sampson County, for the year(s) and in the amount(s) of: 09018928001

YEAR	
<u>2018</u>	\$ <u>49.44</u>
<u>2017</u>	\$ <u>49.44</u>
<u>2016</u>	\$ <u>49.73</u>
<u>2015</u>	\$ <u>49.73</u>
	\$ _____
TOTAL REFUND	\$ <u>198.34</u>

These taxes were assessed through clerical error as follows.

Land unmapped and no deed found  
601 County Tax 198.34

School Tax \_\_\_\_\_

Fire Tax \_\_\_\_\_

City Tax \_\_\_\_\_

TOTAL \$ 198.34

Yours very truly

Henry J. Carr, Jr.  
Taxpayer

Mailing Address.

P.O. Box 857  
Clinton, N.C. 28329

Social Security # \_\_\_\_\_

RECOMMEND APPROVAL:

[Signature]  
Sampson County Tax Administrator

Board Approved \_\_\_\_\_  
Date \_\_\_\_\_ Initials \_\_\_\_\_

**OFFICE OF THE SAMPSON COUNTY TAX ADMINISTRATOR**

P. O. BOX 1082 - CLINTON, NORTH CAROLINA 28329-1082

9272

**JIM JOHNSON**  
Tax Administrator

Telephone 910-592-8146  
910-592-8147

SAMPSON COUNTY BOARD OF COMMISSIONERS  
406 COUNTY COMPLEX ROAD, BUILDING C  
CLINTON, NORTH CAROLINA 28328

Members:

Pursuant to North Carolina G. S. 105-381, I hereby demand refund and remission of taxes assessed and collected by Sampson County against the property owned by Lonnie Louise Cox, ETAls in North Clinton Township, Sampson County, for the year(s) and in the amount(s) of: 12001756002

YEAR	
<u>2019</u>	\$ <u>38.24</u>
<u>2018</u>	\$ <u>29.97</u>
<u>2017</u>	\$ <u>29.97</u>
<u>2016</u>	\$ <u>30.13</u>
<u>2015</u>	\$ <u>30.13</u>
TOTAL REFUND	\$ <u>158.44</u>

These taxes were assessed through clerical error as follows.

Double listed to 12052884001 per  
Deed's 721/422+913/967/681  
829/482

County Tax 141.35

School Tax \_\_\_\_\_

Fire Tax 17.09

City Tax \_\_\_\_\_

TOTAL \$ 158.44

Mailing Address.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Yours very truly

Lonnie Louise Cox  
Taxpayer

Social Security # \_\_\_\_\_

RECOMMEND APPROVAL:

Jim Johnson  
Sampson County Tax Administrator

Board Approved \_\_\_\_\_  
Date Initials

# OFFICE OF THE SAMPSON COUNTY TAX ADMINISTRATOR

P. O. BOX 1082 - CLINTON, NORTH CAROLINA 28329-1082

9271

**JIM JOHNSON**  
Tax Administrator

Telephone 910-592-8146  
910-592-8147

SAMPSON COUNTY BOARD OF COMMISSIONERS  
406 COUNTY COMPLEX ROAD, BUILDING C  
CLINTON, NORTH CAROLINA, 28328

Members:

Pursuant to North Carolina G. S. 105-381, I hereby demand refund and remission of taxes assessed and collected by Sampson County against the property owned by Charlotte B. Hudson, Trustee in Westbrook Township, Sampson County, for the year(s) and in the amount(s) of: 19 050152005

YEAR		
<u>2018</u>	\$	<u>32.38</u>
<u>2017</u>	\$	<u>29.17</u>
<u>2016</u>	\$	<u>34.43</u>
<u>2015</u>	\$	<u>37.22</u>
_____	\$	_____

TOTAL REFUND \$ 133.20

These taxes were assessed through clerical error as follows.

*No deed found - Does not exist*

		<u>104.40</u>
County Tax		
Interest		<u>8.97</u>
School Tax		
For		
Fire Tax		<u>12.60</u>
Adv.		
City Tax		<u>6.00</u>
HINT -		<u>1.23</u>
TOTAL \$		<u>133.20</u>

Mailing Address.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Yours very truly

Charlotte B. Hudson  
Taxpayer

Social Security # \_\_\_\_\_

RECOMMEND APPROVAL:

Jim Johnson  
Sampson County Tax Administrator

Board Approved \_\_\_\_\_  
Date \_\_\_\_\_ Initials \_\_\_\_\_

**OFFICE OF THE SAMPSON COUNTY TAX ADMINISTRATOR**

P. O. BOX 1082 - CLINTON, NORTH CAROLINA 28329-1082

9275

**JIM JOHNSON**  
Tax Administrator

Telephone 910-592-8146  
910-592-8147

SAMPSON COUNTY BOARD OF COMMISSIONERS  
406 COUNTY COMPLEX ROAD, BUILDING C  
CLINTON, NORTH CAROLINA 28328

Members:

Pursuant to North Carolina G. S. 105-381, I hereby demand refund and remission of taxes assessed and collected by Sampson County against the property owned by \_\_\_\_\_  
\_\_\_\_\_ in Tammy W. Denning Township, Sampson County, for  
the year(s) and in the amount(s) of:

YEAR	
2019	\$ 98.04
2018	\$ 18.89
_____	\$ _____
_____	\$ _____
_____	\$ _____

TOTAL REFUND \$ \$ 116.93

#1

Bill #  
0050473659  
Plate # EJB1552  
Plate turn in  
15 Toyota MP

#2

Bill # 0049486872  
Plate # 9449DU  
Plate turned in  
04 Opel MP

These taxes were assessed through clerical error as follows.

CO1 County Tax 105.43  
 School Tax \_\_\_\_\_  
 Fire Tax 11.50  
 City Tax \_\_\_\_\_  
 TOTAL \$ \$ 116.93

Yours very truly

Tammy Denning  
Taxpayer

Mailing Address.

Tammy Denning  
106 Baseball Ln.  
Sneads Ferry, N.C. 284

Social Security # \_\_\_\_\_

RECOMMEND APPROVAL:

Jim Johnson  
Sampson County Tax Administrator

Board Approved \_\_\_\_\_  
Date \_\_\_\_\_ Initials \_\_\_\_\_

**OFFICE OF THE SAMPSON COUNTY TAX ADMINISTRATOR**

P. O. BOX 1082 - CLINTON, NORTH CAROLINA 28329-1082

9274

**JIM JOHNSON**  
Tax Administrator

Telephone 910-592-8146  
910-592-8147

SAMPSON COUNTY BOARD OF COMMISSIONERS  
406 COUNTY COMPLEX ROAD, BUILDING C  
CLINTON, NORTH CAROLINA 28328

Members:

Pursuant to North Carolina G. S. 105-381, I hereby demand refund and remission of taxes assessed and collected by Sampson County against the property owned by Connie Lee Dunlap in PV Township, Sampson County, for the year(s) and in the amount(s) of:

YEAR	
<u>2019</u>	\$ <u>105.14</u>
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____

TOTAL REFUND \$ 105.14

These taxes were assessed through clerical error as follows.

LES/PA/ 2/2020  
1/2 bill  
Military Exemption  
2018 Jeep  
Tag # FAJ5052

Co2 County Tax 94.80  
School Tax \_\_\_\_\_  
F14 Fire Tax 10.34  
City Tax \_\_\_\_\_  
TOTAL \$ 105.14

Mailing Address.

Connie Lee Dunlap  
41 Hunters Ridge Trl  
Dunn NC 28334

Yours very truly

Connie L Dunlap  
Taxpayer

X Social Security # \_\_\_\_\_

RECOMMEND APPROVAL:

Jim Johnson  
Sampson County Tax Administrator

Board Approved \_\_\_\_\_  
Date \_\_\_\_\_ Initials \_\_\_\_\_

**OFFICE OF THE SAMPSON COUNTY TAX ADMINISTRATOR**

P. O. BOX 1082 - CLINTON, NORTH CAROLINA 28329-1082

9283

**JIM JOHNSON**  
Tax Administrator

Telephone 910-592-8146  
910-592-8147

SAMPSON COUNTY BOARD OF COMMISSIONERS  
406 COUNTY COMPLEX ROAD, BUILDING C  
CLINTON, NORTH CAROLINA 28328

Members:

Pursuant to North Carolina G. S. 105-381, I hereby demand refund and remission of taxes assessed and collected by Sampson County against the property owned by Kenneth Wayne Strickland in \_\_\_\_\_ Township, Sampson County, for the year(s) and in the amount(s) of:

YEAR	
<u>2019</u>	\$ <u>104.55</u>
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
TOTAL REFUND	\$ <u>104.55</u>

Bill # 0044954706  
Plate # BFR 9939  
Plate surrendered  
2012 Toyota

These taxes were assessed through clerical error as follows.

<u>CO7</u> County Tax	<u>58.08</u>
School Tax	_____
Fire Tax	_____
<u>T07</u> City Tax	<u>46.47</u>
TOTAL \$	<u>104.55</u>

Mailing Address.

X P.O. Box 148  
Roseboro, NC 28382

Yours very truly

*Kenneth Wayne Strickland*  
Taxpayer

X Social Security # \_\_\_\_\_

RECOMMEND APPROVAL

*Jim Johnson*  
Sampson County Tax Administrator

Board Approved \_\_\_\_\_  
Date \_\_\_\_\_ Initials \_\_\_\_\_

**OFFICE OF THE SAMPSON COUNTY TAX ADMINISTRATOR**

**P. O. BOX 1082 - CLINTON, NORTH CAROLINA 28329-1082**

**9284**

**JIM JOHNSON**  
Tax Administrator

Telephone 910-592-8146  
910-592-8147

SAMPSON COUNTY BOARD OF COMMISSIONERS  
406 COUNTY COMPLEX ROAD, BUILDING C  
CLINTON, NORTH CAROLINA 28328

Members:

Pursuant to North Carolina G. S. 105-381, I hereby demand refund and remission of taxes assessed and collected by Sampson County against the property owned by Brian Butler  
\_\_\_\_\_ in \_\_\_\_\_ Township, Sampson County, for  
the year(s) and in the amount(s) of:

YEAR	
<u>2019</u>	\$ <u>277.94</u>
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
TOTAL REFUND	\$ <u>277.94</u>

These taxes were assessed through clerical error as follows.

Bill # 0046488171  
Plate # FLT9316  
Vehicle traded  
plate surrendered  
2019 Toyota

C02	County Tax	<u>251.98</u>
	School Tax	_____
F14	Fire Tax	<u>25.96</u>
	City Tax	_____
TOTAL \$		<u>277.94</u>

Mailing Address.

1700 Mintz Rd.  
Roseboro, NC 28382

Yours very truly

Keith Butler  
Taxpayer

Social Security # \_\_\_\_\_

RECOMMEND APPROVAL:

Jim Johnson  
Sampson County Tax Administrator

Board Approved \_\_\_\_\_  
Date \_\_\_\_\_ Initials \_\_\_\_\_

OFFICE OF THE SAMPSON COUNTY TAX ADMINISTRATOR

Members:

Pursuant to North Carolina G. S. 105-381, I hereby demand a release and adjustment of taxes assessed by Sampson County against the property owned by Edvin Hernandez in North Clinton Township, Sampson County, for the year(s) and in the amount(s) of: LH Parcel 12007903901

Year	<u>2019</u>	\$	<u>417.25</u>
	_____	\$	_____
	_____	\$	_____
	_____	\$	_____
	_____	\$	_____

Total Release/Adjustment		\$	<u>417.25</u>
	<u>601</u>	County Tax	\$ <u>321.71</u>
	<u>501</u>	School Tax	\$ <u>56.54</u>
	<u>A19</u>	Fire Tax	\$ <u>39.00</u>
		City Tax	\$ _____
		Total	\$ <u>417.25</u>

The taxes were assessed through clerical error or an illegal tax as follows:

*Double wide double listed here and on land parcel 12011526928 during rental 2019 - LH has been deactivated*

Taxpayer: Edvin Hernandez

Tax Administrator: [Signature]

Board Approved: \_\_\_\_\_  
Date Initials



OFFICE OF THE SAMPSON COUNTY TAX ADMINISTRATOR

Members:

Pursuant to North Carolina G. S. 105-381, I hereby demand a release and adjustment of taxes assessed by Sampson County against the property owned by Charlotte Hudson, Trustee in Westbrook Township, Sampson County, for the year(s) and in the amount(s) of: 19050/52005

Year	
<u>2019</u>	\$ <u>186.48</u>
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
Total Release/Adjustment	\$ <u>186.48</u>

County Tax	\$ <u>166.32</u>
School Tax	\$ _____
<sup>F07</sup> Fire Tax	\$ <u>20.16</u>
City Tax	\$ _____
Total	\$ <u>186.48</u>

The taxes were assessed through clerical error or an illegal tax as follows:

No deed found - Doesn't exist

Taxpayer: Charlotte Hudson  
Tax Administrator: [Signature]  
Board Approved: \_\_\_\_\_  
Date: \_\_\_\_\_ Initials: \_\_\_\_\_

COUNTY OF SAMPSON  
BUDGET AMENDMENT

MEMO:

FROM: Sarah W. Bradshaw

30-Mar-20

TO: Sampson County Board of Commissioners

VIA: County Manager & Finance Officer


SUBJECT: Budget Amendment for fiscal year 2019-2020

1. It is requested that the budget for the Social Services Department  
be amended as follows:

<u>Expenditure Account</u>	<u>Expenditure Account Description</u>	<u>Increase</u>	<u>Decrease</u>
13554810-568414	LIEAP	\$79,420.00	

<u>Revenue Account</u>	<u>Revenue Account Description</u>	<u>Increase</u>	<u>Decrease</u>
13535480-403314	LIEAP	\$79,420.00	

2. Reason(s) for the above request is/are as follows: To adjust budgeted revenue to actual funding authorization received.

  
\_\_\_\_\_  
(Signature of Department Head)

ENDORSEMENT

1. Forwarded, recommending approval/disapproval. \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
(County Finance Officer)

ENDORSEMENT

1. Forwarded, recommending approval/disapproval. \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Date of approval/disapproval by B.O.C.

\_\_\_\_\_  
(County Manager & Budget Officer)



**DIVISION OF SOCIAL SERVICES**  
**Low-Income Energy Assistance (LIEAP)**

**FUNDING SOURCE: Federal Low Income Home Energy Assistance Funds**  
**EFFECTIVE DATE: 12/01/2019**  
**AUTHORIZATION NUMBER: 4**

**ALLOCATION PERIOD**  
**FROM DECEMBER 2019 THRU MAY 2020 SERVICE MONTHS**  
**FROM JANUARY 2020 THRU JUNE 2020 PAYMENT MONTHS**

Co. No.	COUNTY	Initial (or Previous) Allocation Funding Authorization		Additional Allocation		Grand Total Allocation	
		Federal	Total	Federal	Total	Federal	Total
01	ALAMANCE	637,067.00	637,067.00	0.00	0.00	637,067.00	637,067.00
02	ALEXANDER	117,086.00	117,086.00	9,928.00	9,928.00	127,014.00	127,014.00
03	ALLEGHANY	55,094.00	55,094.00	1,986.00	1,986.00	57,080.00	57,080.00
04	ANSON	210,837.00	210,837.00	39,710.00	39,710.00	250,547.00	250,547.00
05	ASHE	121,168.00	121,168.00	7,942.00	7,942.00	129,110.00	129,110.00
06	AVERY	72,752.00	72,752.00	1,986.00	1,986.00	74,738.00	74,738.00
07	BEAUFORT	283,470.00	283,470.00	0.00	0.00	283,470.00	283,470.00
08	BERTIE	148,597.00	148,597.00	0.00	0.00	148,597.00	148,597.00
09	BLADEN	211,186.00	211,186.00	19,855.00	19,855.00	231,041.00	231,041.00
10	BRUNSWICK	433,776.00	433,776.00	0.00	0.00	433,776.00	433,776.00
11	BUNCOMBE	869,374.00	869,374.00	39,710.00	39,710.00	909,084.00	909,084.00
12	BURKE	376,319.00	376,319.00	19,855.00	19,855.00	396,174.00	396,174.00
13	CABARRUS	603,855.00	603,855.00	0.00	0.00	603,855.00	603,855.00
14	CALDWELL	365,870.00	365,870.00	5,967.00	5,967.00	371,837.00	371,837.00
15	CAMDEN	23,446.00	23,446.00	993.00	993.00	24,439.00	24,439.00
16	CARTERET	232,595.00	232,595.00	0.00	0.00	232,595.00	232,595.00
17	CASWELL	129,085.00	129,085.00	3,971.00	3,971.00	133,056.00	133,056.00
18	CATAWBA	475,439.00	475,439.00	-40,000.00	-40,000.00	435,439.00	435,439.00
19	CHATHAM	178,308.00	178,308.00	3,971.00	3,971.00	182,279.00	182,279.00
20	CHEROKEE	139,857.00	139,857.00	-57.00	-57.00	139,800.00	139,800.00
21	CHOWAN	78,359.00	78,359.00	3,971.00	3,971.00	82,330.00	82,330.00
22	CLAY	48,942.00	48,942.00	0.00	0.00	48,942.00	48,942.00
23	CLEVELAND	547,890.00	547,890.00	9,928.00	9,928.00	557,818.00	557,818.00
24	COLUMBUS	340,294.00	340,294.00	0.00	0.00	340,294.00	340,294.00
25	CRAVEN	418,256.00	418,256.00	0.00	0.00	418,256.00	418,256.00
26	CUMBERLAND	1,744,910.00	1,744,910.00	0.00	0.00	1,744,910.00	1,744,910.00
27	CURRITUCK	64,273.00	64,273.00	0.00	0.00	64,273.00	64,273.00
28	DARE	89,379.00	89,379.00	2,808.00	2,808.00	92,187.00	92,187.00
29	DAVIDSON	634,663.00	634,663.00	0.00	0.00	634,663.00	634,663.00
30	DAVIE	135,562.00	135,562.00	0.00	0.00	135,562.00	135,562.00
31	DUPLIN	297,240.00	297,240.00	9,928.00	9,928.00	307,168.00	307,168.00
32	DURHAM	1,210,732.00	1,210,732.00	0.00	0.00	1,210,732.00	1,210,732.00
33	EDGECOMBE	416,795.00	416,795.00	0.00	0.00	416,795.00	416,795.00
34	FORSYTH	1,587,027.00	1,587,027.00	19,855.00	19,855.00	1,606,882.00	1,606,882.00
35	FRANKLIN	240,431.00	240,431.00	9,928.00	9,928.00	250,359.00	250,359.00
36	GASTON	959,365.00	959,365.00	0.00	0.00	959,365.00	959,365.00
37	GATES	57,142.00	57,142.00	0.00	0.00	57,142.00	57,142.00
38	GRAHAM	45,788.00	45,788.00	5,958.00	5,958.00	51,746.00	51,746.00
39	GRANVILLE	201,405.00	201,405.00	3,971.00	3,971.00	205,376.00	205,376.00
40	GREENE	127,462.00	127,462.00	9,928.00	9,928.00	137,390.00	137,390.00
41	GUILFORD	2,229,395.00	2,229,395.00	0.00	0.00	2,229,395.00	2,229,395.00
42	HALIFAX	446,061.00	446,061.00	19,855.00	19,855.00	465,916.00	465,916.00
43	HARNETT	543,200.00	543,200.00	9,928.00	9,928.00	553,128.00	553,128.00
44	HAYWOOD	253,189.00	253,189.00	0.00	0.00	253,189.00	253,189.00
45	HENDERSON	316,474.00	316,474.00	0.00	0.00	316,474.00	316,474.00
46	HERTFORD	167,929.00	167,929.00	49,638.00	49,638.00	217,567.00	217,567.00
47	HOKE	246,477.00	246,477.00	1,986.00	1,986.00	248,463.00	248,463.00

Low-Income Home Energy Assistance (LIEAP)

AUTHORIZATION NUMBER: 4

		Initial (or Previous) Allocation Funding Authorization		Additional Allocation		Grand Total Allocation	
	COUNTY	Federal	Total	Federal	Total	Federal	Total
48	HYDE	30,475.00	30,475.00	7,942.00	7,942.00	38,417.00	38,417.00
49	IREDELL	456,101.00	456,101.00	0.00	0.00	456,101.00	456,101.00
50	JACKSON	119,061.00	119,061.00	7,942.00	7,942.00	127,003.00	127,003.00
51	JOHNSTON	758,476.00	758,476.00	0.00	0.00	758,476.00	758,476.00
52	JONES	68,933.00	68,933.00	7,942.00	7,942.00	76,875.00	76,875.00
53	LEE	251,000.00	251,000.00	-33,400.00	-33,400.00	217,600.00	217,600.00
54	LENOIR	389,669.00	389,669.00	0.00	0.00	389,669.00	389,669.00
55	LINCOLN	276,804.00	276,804.00	0.00	0.00	276,804.00	276,804.00
56	MACON	142,848.00	142,848.00	-248.00	-248.00	142,600.00	142,600.00
57	MADISON	101,276.00	101,276.00	2,383.00	2,383.00	103,659.00	103,659.00
58	MARTIN	141,088.00	141,088.00	0.00	0.00	141,088.00	141,088.00
59	MCDOWELL	231,117.00	231,117.00	3,971.00	3,971.00	235,088.00	235,088.00
60	MECKLENBURG	3,424,827.00	3,424,827.00	-600,000.00	-600,000.00	2,824,827.00	2,824,827.00
61	MITCHELL	66,908.00	66,908.00	0.00	0.00	66,908.00	66,908.00
62	MONTGOMERY	123,314.00	123,314.00	2,383.00	2,383.00	125,697.00	125,697.00
63	MOORE	264,979.00	264,979.00	4,765.00	4,765.00	269,744.00	269,744.00
64	NASH	432,924.00	432,924.00	19,855.00	19,855.00	452,779.00	452,779.00
65	NEW HANOVER	798,132.00	798,132.00	0.00	0.00	798,132.00	798,132.00
66	NORTHAMPTON	146,006.00	146,006.00	19,855.00	19,855.00	165,861.00	165,861.00
67	ONslow	614,867.00	614,867.00	0.00	0.00	614,867.00	614,867.00
68	ORANGE	403,892.00	403,892.00	0.00	0.00	403,892.00	403,892.00
69	PAMLICO	56,850.00	56,850.00	0.00	0.00	56,850.00	56,850.00
70	PASQUOTANK	213,099.00	213,099.00	0.00	0.00	213,099.00	213,099.00
71	PENDER	212,778.00	212,778.00	3,971.00	3,971.00	216,749.00	216,749.00
72	PERQUIMANS	67,319.00	67,319.00	0.00	0.00	67,319.00	67,319.00
73	PERSON	185,610.00	185,610.00	3,971.00	3,971.00	189,581.00	189,581.00
74	PITT	947,688.00	947,688.00	19,855.00	19,855.00	967,543.00	967,543.00
75	POLK	64,200.00	64,200.00	444.00	444.00	64,644.00	64,644.00
76	RANDOLPH	599,573.00	599,573.00	0.00	0.00	599,573.00	599,573.00
77	RICHMOND	339,669.00	339,669.00	0.00	0.00	339,669.00	339,669.00
78	ROBESON	1,044,985.00	1,044,985.00	0.00	0.00	1,044,985.00	1,044,985.00
79	ROCKINGHAM	429,516.00	429,516.00	0.00	0.00	429,516.00	429,516.00
80	ROWAN	593,240.00	593,240.00	15,884.00	15,884.00	609,124.00	609,124.00
81	RUTHERFORD	324,278.00	324,278.00	0.00	0.00	324,278.00	324,278.00
82	SAMPSON	384,576.00	384,576.00	79,420.00	79,420.00	463,996.00	463,996.00
83	SCOTLAND	260,970.00	260,970.00	57,580.00	57,580.00	318,550.00	318,550.00
84	STANLY	217,958.00	217,958.00	11,913.00	11,913.00	229,871.00	229,871.00
85	STOKES	175,397.00	175,397.00	9,928.00	9,928.00	185,325.00	185,325.00
86	SURRY	336,656.00	336,656.00	0.00	0.00	336,656.00	336,656.00
87	SWAIN	58,708.00	58,708.00	0.00	0.00	58,708.00	58,708.00
88	TRANSYLVANIA	130,637.00	130,637.00	0.00	0.00	130,637.00	130,637.00
89	TYRRELL	24,362.00	24,362.00	0.00	0.00	24,362.00	24,362.00
90	UNION	537,341.00	537,341.00	0.00	0.00	537,341.00	537,341.00
91	VANCE	340,900.00	340,900.00	39,710.00	39,710.00	380,610.00	380,610.00
92	WAKE	2,312,027.00	2,312,027.00	0.00	0.00	2,312,027.00	2,312,027.00
93	WARREN	131,938.00	131,938.00	7,942.00	7,942.00	139,880.00	139,880.00
94	WASHINGTON	88,109.00	88,109.00	1,986.00	1,986.00	90,095.00	90,095.00
95	WATAUGA	150,963.00	150,963.00	-7,000.00	-7,000.00	143,963.00	143,963.00
96	WAYNE	688,459.00	688,459.00	39,710.00	39,710.00	728,169.00	728,169.00
97	WILKES	347,063.00	347,063.00	0.00	0.00	347,063.00	347,063.00
98	WILSON	430,053.00	430,053.00	0.00	0.00	430,053.00	430,053.00
99	YADKIN	132,934.00	132,934.00	-30,000.00	-30,000.00	102,934.00	102,934.00
100	YANCEY	94,264.00	94,264.00	27,797.00	27,797.00	122,061.00	122,061.00
150	Jackson Indian	0.00	0.00	0.00	0.00	0.00	0.00
187	Swain Indian	0.00	0.00	0.00	0.00	0.00	0.00
	Total	\$ 40,298,638.00	\$ 40,298,638.00	\$ -	\$ -	\$ 40,298,638.00	\$ 40,298,638.00

**Low-Income Home Energy Assistance (LIEAP) AUTHORIZATION NUMBER: 4**

**FUNDING SOURCE:** Federal Low Income Home Energy Assistance Funds Block Grant  
**CFDA Number:** 93.568  
**CFDA Name:** Low-Income Home Energy Assistance  
**Award Name:** Low-Income Home Energy Assistance  
**Award Number:** G19B1NCLIEA & G20B1NCLIEA  
**Award Date:** FFY 2019 & 2020  
**Federal Agency:** DHHS/ACF

**GRANT INFORMATION:** This represents 100% federal dollars.

This allocation represents the entire amount as designated in Session Law 2019 (House Bill 966).

These funds cannot be spent until after December 1, 2019.

**XS411 Heading:** LIHEAP  
**Tracked on XS411:** Federal Share 100%

**OBLIGATIONS INCURRED AND EXPENDITURES MADE UNDER THIS ADVICE WILL BE SUBJECT TO LIMITATIONS PUBLISHED BY FEDERAL AND STATE AGENCIES AS TO THE AVAILABILITY OF FUNDS**

**AUTHORIZED SIGNATURE**



**DATE:**

March 6, 2020

**COUNTY OF SAMPSON  
BUDGET AMENDMENT**

**MEMO:**

February 7, 2020

FROM: Lorie Sutton, Director of Aging

Date

TO: Sampson County Board of Commissioners

VIA: County Manager & Finance Officer

SUBJECT: Budget Amendment for fiscal year 2019-2020

1. It is requested that the budget for the AGING Department be amended as follows:

<u>Expenditure Account</u>	<u>Expenditure Account Description</u>	<u>Increase</u>	<u>Decrease</u>
02558670-526200	HOME REPAIRS - DEPT SUPPLIES	\$ 644.00	

<u>Revenue Account</u>	<u>Revenue Account Description</u>	<u>Increase</u>	<u>Decrease</u>
02035867-408403	HOME REPAIRS - DONATIONS - FANS	\$ 644.00	

2. Reason(s) for the above request is/are as follows:  
To budget annual donation from Duke Energy for Fan "Heat Relief" Project.

Lorie B Sutton

(Signature of Department Head)

**ENDORSEMENT**

1. Forwarded, recommending approval/disapproval.

3/20, 2020

M. H. [Signature]

(County Finance Officer)

**ENDORSEMENT**

1. Forwarded, recommending approval/disapproval.

\_\_\_\_\_, 20\_\_\_\_

Sam W. G. [Signature]

(County Manager & Budget Officer)

Date of approval/disapproval by B.O.C.

**COUNTY OF SAMPSON  
BUDGET AMENDMENT**

**MEMO:**

FROM: David K. Clack, Finance Officer  
 TO: Sampson County Board of Commissioners  
 VIA: County Manager & Finance Officer  
 SUBJECT: Budget Amendment for fiscal year 2019-2020

1. It is requested that the budget for the Goshen Fire District be amended as follows:

<u>Expenditure Account Code</u>	<u>Description (Object of Expenditure)</u>	<u>Increase</u>	<u>Decrease</u>
23243410-581028	Goshen (Faison) Fire District	45,000.00	

<u>Revenue Account Code</u>	<u>Source of Revenue</u>	<u>Increase</u>	<u>Decrease</u>
23043428-499900	Fund balance appropriated	45,000.00	

2. Reason(s) for the above request is/are as follows:

To allocate funds at the request of Faison Fire and Rescue for the purchase of a new Medical Responder unit.

  
 \_\_\_\_\_  
 (Signature of Department Head)

**ENDORSEMENT**

1. Forwarded, recommending approval/disapproval. 0

\_\_\_\_\_, 20 20  
3/26  
  
 \_\_\_\_\_  
 (County Finance Officer)

**ENDORSEMENT**

1. Forwarded, recommending approval/disapproval. X

\_\_\_\_\_, 20\_\_\_\_  
  
 \_\_\_\_\_  
 (County Manager & Budget Officer)

\_\_\_\_\_  
 Date of approval/disapproval by B.O.C.

**COUNTY OF SAMPSON  
BUDGET AMENDMENT**

**MEMO:**

FROM: Sheriff Jimmy Thornton

TO: Sampson County Board of Commissioners

VIA: County Manager & Finance Officer

SUBJECT: Budget Amendment for fiscal year 2019-2020

1. It is requested that the budget for the Detention Center Department be amended as follows:

<u>Expenditure Account</u>	<u>Expenditure Account Description</u>	<u>Increase</u>	<u>Decrease</u>
11243200-521100	FOOD AND PROVISIONS	600.00	

<u>Revenue Account</u>	<u>Revenue Account Description</u>	<u>Increase</u>	<u>Decrease</u>
11034320-408901	CANTEEN COMMISSIONS	600.00	

2. Reason(s) for the above request is/are as follows:

Increased revenues expected through TTO Food Services for the remainder of the FY 19/20 Budget

  
\_\_\_\_\_  
(Signature of Department Head)

**ENDORSEMENT**

1. Forwarded, recommending approval/disapproval.

3/24, 2020

  
\_\_\_\_\_  
(County Finance Officer)

**ENDORSEMENT**

1. Forwarded, recommending approval/disapproval.

\_\_\_\_\_, 20\_\_\_\_

  
\_\_\_\_\_  
(County Manager & Budget Officer)

\_\_\_\_\_  
Date of approval/disapproval by B.O.C.



**COUNTY OF SAMPSON  
BUDGET AMENDMENT**

**MEMO:**

February 7, 2020

FROM: Lorie Sutton, Director of Aging

Date

TO: Sampson County Board of Commissioners

VIA: County Manager & Finance Officer

SUBJECT: Budget Amendment for fiscal year 2019-2020

1. It is requested that the budget for the AGING Department  
be amended as follows:

<u>Expenditure Account</u>	<u>Expenditure Account Description</u>	<u>Increase</u>	<u>Decrease</u>
02558670-526200	HOME REPAIRS - DEPT SUPPLIES	\$ 644.00	

<u>Revenue Account</u>	<u>Revenue Account Description</u>	<u>Increase</u>	<u>Decrease</u>
02035867-408403	HOME REPAIRS - DONATIONS - FANS	\$ 644.00	

2. Reason(s) for the above request is/are as follows:  
To budget annual donation from Duke Energy for Fan "Heat Relief" Project.

Lorie B Sutton  
(Signature of Department Head)

**ENDORSEMENT**

1. Forwarded, recommending approval/disapproval.

3/24, 2020

M. H. H.  
(County Finance Officer)

**ENDORSEMENT**

1. Forwarded, recommending approval/disapproval.

\_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Date of approval/disapproval by B.O.C.

Sam W. C.  
(County Manager & Budget Officer)

**COUNTY OF SAMPSON  
BUDGET AMENDMENT**

**MEMO:**

FROM: Rosemarie Oates, Director, SAT

TO: Sampson County Board of Commissioners

VIA: County Manager & Finance Officer

SUBJECT: Budget Amendment for fiscal year 2019-2020

1. It is requested that the budget for the Transportation Department be amended as follows:

<u>Expenditure Account</u>	<u>Expenditure Account Description</u>	<u>Increase</u>	<u>Decrease</u>
1614500-535300	MAINT/REPAIR OF VEHICLES	5,000.00	
1614500-525100	GAS, OIL, & TIRES	5,000.00	

<u>Revenue Account</u>	<u>Revenue Account Description</u>	<u>Increase</u>	<u>Decrease</u>
16134500-403611	State JARC Grant	10,000.00	

2. Reason(s) for the above request is/are as follows:  
ALLOCATE FUNDS FOR JARC GRANT-NEW GRANT FOR FY20



(Signature of Department Head)

**ENDORSEMENT**

1. Forwarded, recommending approval/disapproval.

3/24, 2020

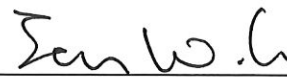


(County Finance Officer)

**ENDORSEMENT**

1. Forwarded, recommending approval/disapproval.

\_\_\_\_\_, 20\_\_\_\_



(County Manager & Budget Officer)

Date of approval/disapproval by B.O.C.

COUNTY OF SAMPSON  
BUDGET AMENDMENT

10 March 2020

MEMO

TO: Sampson County Board of Commissioners

FROM: Ray Jordan, CVB Treasurer

VIA: County Manager and Finance Officer

SUBJECT: Budget Amendment for Fiscal Year: 2019-2020

It is requested that the budget for the **Sampson County Convention & Visitors Bureau** be amended as follows:

**EXPENDITURE**

<u>Code Number (ORG-OBJ)</u>	<u>Description</u>	<u>INCREASE</u>	<u>DECREASE</u>
84761800-537000	Advertising	\$6,000.00	

**REVENUE**


<u>Code Number (ORG-OBJ)</u>	<u>Description</u>	<u>INCREASE</u>	<u>DECREASE</u>
84036180-408900	Miscellaneous Revenue	\$6,000.00	

Reason(s) for the above request is/are as follows:

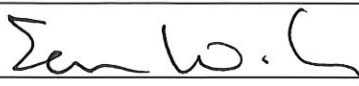
The money is approved for the Visit NC Farm App. The expense is \$6,000, and the miscellaneous revenue will be a refund from Ag Ventures Grant in the amount of \$3,250, and State of NC Grant in the amount of \$2,750.

  
\_\_\_\_\_  
Signature of Department Head

**ENDORSEMENT**

1. Forwarded, recommending approval/disapproval. Date: 3/24/2020  
  
\_\_\_\_\_  
(County Finance Officer)

**ENDORSEMENT**

1. Forwarded, recommending approval/disapproval. Date: \_\_\_\_\_  
  
\_\_\_\_\_  
(County Manager & Budget Officer)

\_\_\_\_\_  
(Date of approval/disapproval by B. O. C)

**COUNTY OF SAMPSON  
BUDGET AMENDMENT**

**MEMO:**

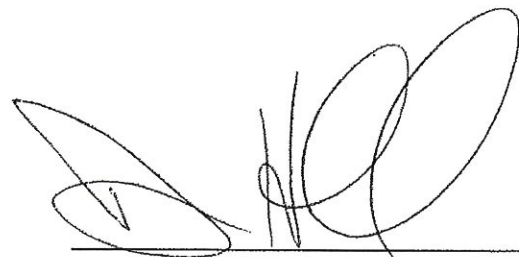
FROM: Dana Hall  
 TO: Sampson County Board of Commissioners  
 VIA: County Manager & Finance Officer  
 SUBJECT: Budget Amendment for fiscal year 2019-2020

1. It is requested that the budget for the Parks & Recreation Department be amended as follows:

<u>Expenditure Account</u>	<u>Expenditure Account Description</u>	<u>Increase</u>	<u>Decrease</u>
11761201-535100	Repair/Maint - Buildings/Grounds	40,000.00	
11999000-509700	Contingency		20,000.00

<u>Revenue Account</u>	<u>Revenue Account Description</u>	<u>Increase</u>	<u>Decrease</u>
11036120-403657	Town of Newton Grove	20,000.00	

2. Reason(s) for the above request is/are as follows:  
 To reallocate funds for Weeks Park lighting project



(Signature of Department Head)

**ENDORSEMENT**

1. Forwarded, recommending approval/disapproval. *D*

3/26, 2020



(County Finance Officer)

**ENDORSEMENT**

1. Forwarded, recommending approval/disapproval. *D*

\_\_\_\_\_, 20\_\_\_\_



(County Manager & Budget Officer)

\_\_\_\_\_  
 Date of approval/disapproval by B.O.C.



**COUNTY OF SAMPSON  
BUDGET AMENDMENT**

**MEMO:**

3/16/2020

FROM: RONALD BASS, DIRECTOR

Date

TO: Sampson County Board of Commissioners

VIA: County Manager & Finance Officer

SUBJECT: Budget Amendment for fiscal year 2019 - 2020

1. It is requested that the budget for the EMERGENCY MANAGEMENT Department be amended as follows:

<u>Expenditure Account</u>	<u>Expenditure Account Description</u>	<u>Increase</u>	<u>Decrease</u>
11243300 551000	CAPITAL OUTLAY-OFFICE EQUIPMENT	\$3,756.00	

<u>Revenue Account</u>	<u>Revenue Account Description</u>	<u>Increase</u>	<u>Decrease</u>
11034330 408406	OTHER GRANTS	3,756.00	

2. Reason for the above request is as follows:

FUNDS FOR OPERATION ROUND UP FUNDING GRANT AWARD THAT WILL BE USED TO PURCHASE DROI UPDATES AND DRONE UPGRADING EQUIPMENT.

*Ronald Bass*

(Signature of Department Head)

**ENDORSEMENT**

1. Forwarded, recommending approval/disapproval.

3/16, 2020

*[Signature]*

(County Finance Officer)

**ENDORSEMENT**

1. Forwarded, recommending approval/disapproval.

\_\_\_\_\_, 20\_\_\_\_

*[Signature]*

(County Manager & Budget Officer)

\_\_\_\_\_  
Date of approval/disapproval by B.O.C.

**COUNTY OF SAMPSON  
BUDGET AMENDMENT**

**MEMO:**

03/23/20

FROM: Eileen Coite

Date

TO: Sampson County Board of Commissioners

VIA: County Manager & Finance Officer

SUBJECT: Budget Amendment for Fiscal Year 2019-2020

1. It is requested that the budget for the Cooperative Extension Department be amended as follows:

<u>Expenditure Account</u>	<u>Expenditure Account Description</u>	<u>Increase</u>	<u>Decrease</u>
11449500-526200	DEPARTMENTAL SUPPLIES	6475.00	
11449500-529900	MISC EXPENSES	1900.00	
11449500-541000	RENTAL FEES BUILDINGS	850.00	
04449560-526200	DEPARTMENTAL SUPPLIES		3000.00
04449560-537000	ADVERTISING		500.00

<u>Revenue Account</u>	<u>Revenue Account Description</u>	<u>Increase</u>	<u>Decrease</u>
11034950-408900	MISC REVENUE COOP EXTENSON	9,225.00	
04034956-404010	REVENUE LAGOON MGMT		3,500.00

2. Reason(s) for the above request is/are as follows:

INCREASE IN REVENUE DUE TO AG DAY 2020 EVENT.

CONSOLIDATION OF ALL AG DAY EXPENSES AND REVENUES TO ONE BUDGET.

*Eileen A. Coite*

(Signature of Department Head)

**ENDORSEMENT**

1. Forwarded, recommending approval/disapproval.

3/24

, 20 20

*[Signature]*

(County Finance Officer)

**ENDORSEMENT**

1. Forwarded, recommending approval/disapproval.

, 20

*[Signature]*

(County Manager & Budget Officer)

Date of approval/disapproval by B.O.C.

**COUNTY OF SAMPSON  
BUDGET AMENDMENT**

**MEMO:**

February 25, 2020

FROM: Lorie Sutton, Director of Aging

Date

TO: Sampson County Board of Commissioners

VIA: County Manager & Finance Officer

SUBJECT: Budget Amendment for fiscal year 2019-2020

1. It is requested that the budget for the AGING Department be amended as follows:

<u>Expenditure Account</u>	<u>Expenditure Account Description</u>	<u>Increase</u>	<u>Decrease</u>
02558670-526200	Home Repairs - Dept Supplies	\$ 349.00	
02558670-526201	Home Repairs - Dept Supplies - Equipment	\$ 1,350.00	
02558670-555000	Home Repairs - Capital Outlay - Other	\$ 3,795.00	

<u>Revenue Account</u>	<u>Revenue Account Description</u>	<u>Increase</u>	<u>Decrease</u>
02035867-408900	Home Repairs - Misc Revenue	\$ 5,494.00	

2. Reason(s) for the above request is/are as follows:

Increase revenue needed to purchase materials trailer, pay for tax and tags and purchase PC.

*Lorie B Sutton*

(Signature of Department Head)

**ENDORSEMENT**

1. Forwarded, recommending approval/disapproval. *6*

*3/4*, 20 *20*

*M Kelly*

(County Finance Officer)

**ENDORSEMENT**

1. Forwarded, recommending approval/disapproval. *0*

, 20

*Sam W. G*

(County Manager & Budget Officer)

Date of approval/disapproval by B.O.C.

**COUNTY OF SAMPSON  
BUDGET AMENDMENT**

**MEMO:**

March 9, 2020

FROM: Lorie Sutton, Director of Aging

Date

TO: Sampson County Board of Commissioners

VIA: County Manager & Finance Officer

SUBJECT: Budget Amendment for fiscal year 2019-2020

1. It is requested that the budget for the AGING Department  
be amended as follows:

<u>Expenditure Account</u>	<u>Expenditure Account Description</u>	<u>Increase</u>	<u>Decrease</u>
02558790-526200	INFO/CASE - DEPT SUPPLIES	\$ 1,425.00	
02558790-526201	INFO/CASE - DEPT SUPPLIES - EQUIP	\$ 1,575.00	

<u>Revenue Account</u>	<u>Revenue Account Description</u>	<u>Increase</u>	<u>Decrease</u>
02035879-403602	INFO/CASE - HEALTH PROMOTION	\$ 3,000.00	

2. Reason(s) for the above request is/are as follows:  
To budget Health Promotion Funding for FY 19-20.

Lorie B Sutton  
(Signature of Department Head)

**ENDORSEMENT**

1. Forwarded, recommending approval/disapproval.

3/4, 2020

[Signature]  
(County Finance Officer)

**ENDORSEMENT**

1. Forwarded, recommending approval/disapproval.

\_\_\_\_\_, 20\_\_\_\_

[Signature]  
(County Manager & Budget Officer)

\_\_\_\_\_  
Date of approval/disapproval by B.O.C.



# SAMPSON COUNTY HEALTH DEPARTMENT

Wanda Robinson  
Health Director



360 County Complex Road, Suite 200  
Clinton NC 28328

**To:** Mr. Edwin Causey  
County Manager

Susan Holder  
Assistant County Manager

**From:** Wanda Robinson  
Health Director

**Subject:** County Commissioner's Consent Agenda Items

**Date:** March 17, 2020

Attached are items submitted for approval on the county commissioners consent agenda:

- I. SCHED Advisory Committee Meeting Minutes January 27, 2020
- II. SCHED Dangerous Dog Appeal Hearing Minutes January 21, 2020
- III. Information Security Policy (Signature required from Board Chair)
- IV. Lab Fee Revisions
- V. Public Health Month Proclamation

If you have any questions, please contact Sally DeMay.

Attachments:

SCHED Advisory Committee Meeting Minutes January 27, 2020  
SCHED Dangerous Dog Appeal Hearing Minutes January 21, 2020  
Information Security Policy (Signature Sheet attached)  
Lab Fee Revisions  
Public Health Month Proclamation

# **Sampson County Health Department**

## **Information Security Policy**

**Table of Contents**

- 1 Introduction ..... 5
  - Purpose ..... 5
  - Scope ..... 5
  - Acronyms / Definitions ..... 5
  - Applicable Statutes / Regulations ..... 7
  - Privacy Officer ..... 7
  - Techonology Assessment Committee (TAC) ..... 7
- 2 Employee Responsibilities ..... 9
  - Employee Requirements ..... 9
  - Prohibited Activities ..... 10
  - Electronic Communication, E-mail, Internet Usage ..... 10
  - Internet Access ..... 12
  - Reporting Software Malfunctions ..... 12
  - Report Security Incidents ..... 13
  - Transfer of Sensitive/Confidential Information ..... 13
  - Transferring Software and Files between Home and Work ..... 14
  - Internet Considerations ..... 14
  - Use of WinZip encrypted and zipped e-mail ..... 15
  - De-identification / Re-identification of Personal Health Information (PHI) ..... 15
- 3 Identification and Authentication ..... 17
  - User Logon IDs ..... 17
  - Passwords ..... 17
  - Confidentiality Agreement ..... 18
  - Access Control ..... 18
  - User Login Entitlement Reviews ..... 19
  - Termination of User Logon Account ..... 19
- 4 Network Connectivity ..... 21
  - Telecommunication Equipment ..... 21
  - Permanent Connections ..... 21
  - Emphasis on Security in Third Party Contracts ..... 21
  - Firewalls ..... 22
- 5 Malicious Code ..... 23
  - Antivirus Software Installation ..... 23
  - New Software Distribution ..... 23
  - Retention of Ownership ..... 24
- 6 Encryption ..... 25

- Definition..... 25
- Encryption Key ..... 25
- Installation of authentication and encryption certificates on the e-mail system ..... 25
- Use of WinZip encrypted and zipped e-mail ..... 25
- File Transfer Protocol (FTP)..... 25
- Secure Socket Layer (SSL) Web Interface ..... 26
- 7 Building Security ..... 27
- 8 Telecommuting ..... 28
  - General Requirements ..... 28
  - Required Equipment..... 29
  - Data Security Protection..... 29
  - Disposal of Paper and/or External Media..... 30
- 9 Specific Protocols and Devices ..... 32
  - Wireless Usage Standards and Policy ..... 31
  - Use of Transportable Media ..... 31
- 10 Retention / Destruction of Medical Information ..... 35
- 11 Disposal of External Media / Hardware ..... 36
  - Disposal of External Media..... 36
  - Requirements Regarding Equipment ..... 36
  - Disposition of Excess Equipment..... 36
- 12 Change Management ..... 37
- 13 Audit Controls ..... 38
- 14 Information System Activity Review ..... 39
- 15 Data Integrity ..... 41
- 16 Contingency Plan..... 42
- 17 Security Awareness and Training..... 45
- 18 Security Management Process..... 47
- 19 Emergency Operations Procedures ..... 51
- 20 Emergency Access “Break the Glass”..... 54
- 21 Sanction Policy ..... 58
- 22 Discovery Policy: Production and Disclosure ..... 61
- 23 e-Discovery Policy: Retention..... 63
- 24 Breach Notification Procedures ..... 71
- Appendix A – Network Access Request Form ..... 76
- Appendix B - Confidentiality Form.....78
- Appendix C - Approved Software.....79
- Appendix D - Incident Response Tools.....82
- Appendix E - County of Sampson Separation of Employee checklist.....84

Appendix F - Security Standards Matrix.....85  
Appendix G - Part 164-Security and Privacy Rules.....86

## 1. INTRODUCTION:

### A. PURPOSE:

This policy defines the technical controls and security configurations users and Information Technology (IT) administrators are required to implement in order to ensure the integrity and availability of the data environment at Sampson County Health Department, hereinafter, referred to as the Agency. It serves as a central policy document with which all employees and contractors must be familiar, and defines actions and prohibitions that all users must follow. The policy provides IT managers within the Agency with policies and guidelines concerning the acceptable use of Agency technology equipment, e-mail, Internet connections, voice-mail, facsimile, future technology resources and information processing.

The policy requirements and restrictions defined in this document shall apply to network infrastructures, databases, external media, encryption, hardcopy reports, films, slides, models, wireless, telecommunication, conversations, and any other methods used to convey knowledge and ideas across all hardware, software, and data transmission mechanisms. This policy must be adhered to by all Agency employees or temporary workers at all locations and by contractors working with the Agency as subcontractors.

### B. SCOPE:

This policy document defines common security requirements for all Agency personnel and systems that create, maintain, store, access, process or transmit information. This policy also applies to information resources owned by others, such as contractors of the Agency, entities in the private sector, in cases where Agency has a legal, contractual or fiduciary duty to protect said resources while in Agency custody. In the event of a conflict, the more restrictive measures apply. This policy covers the Agency network system which is comprised of various hardware, software, communication equipment and other devices designed to assist the Agency in the creation, receipt, storage, processing, and transmission of information. This definition includes equipment connected to any Agency domain or VLAN, either hardwired or wirelessly, and includes all stand-alone equipment that is deployed by the Agency at its office locations or at remote locales.

### C. ACRONYMS/DEFINITIONS:

1. HD – The Health Director is responsible for the overall privacy and security practices of the company.
2. DOD – Department of Defense
3. Encryption – The process of transforming information, using an algorithm, to make it unreadable to anyone other than those who have a specific ‘need to know.’
4. External Media –i.e. CD-ROMs, DVDs, floppy disks, flash drives, USB keys, thumb drives, tapes
5. FAT – File Allocation Table - The FAT file system is relatively uncomplicated and an ideal format for floppy disks and solid-state memory cards. The most common

- implementations have a serious drawback in that when files are deleted, and new files written to the media, their fragments tend to become scattered over the entire media, making reading and writing a slow process.
6. Firewall – a dedicated piece of hardware or software running on a computer which allows or denies traffic passing through it, based on a set of rules.
  7. FTP – File Transfer Protocol
  8. HIPAA - Health Insurance Portability and Accountability Act
  9. IT - Information Technology
  10. LAN – Local Area Network – a computer network that covers a small geographic area, i.e. a group of buildings, an office.
  11. NTFS – New Technology File Systems – NTFS has improved support for metadata and the use of advanced data structures to improve performance, reliability, and disk space utilization plus additional extensions such as security access control lists and file system journaling. The exact specification is a trade secret of Microsoft.
  12. SOW - Statement of Work - An agreement between two or more parties that details the working relationship between the parties and lists a body of work to be completed.
  13. User - Any person authorized to access an information resource.
  14. Privileged Users – system administrators and others specifically identified and authorized by Agency management.
  15. TAC- Technology Assessment Committee
  16. Users with edit/update capabilities – individuals who are permitted, based on job assignment, to add, delete, or change records in a database.
  17. Users with inquiry (read only) capabilities – individuals who are prevented, based on job assignment, from adding, deleting, or changing records in a database. Their system access is limited to reading information only.
  18. VLAN – Virtual Local Area Network – A logical network, typically created within a network device, usually used to segment network traffic for administrative, performance and/or security purposes.
  19. VPN – Virtual Private Network – Provides a secure passage through the public Internet.
  20. WAN – Wide Area Network – A computer network that enables communication across a broad area, i.e. regional, national.
  21. Virus - a software program capable of reproducing itself and usually capable of causing great harm to files or other programs on the computer it attacks. A true virus cannot spread to another computer without human assistance.

D. APPLICABLE SATUTES/REGULATIONS:

The following is a list of the various agencies/organizations whose laws, mandates, and regulations were incorporated into the various policy statements included in this document.

1. US DHHS Department of Health & Human Services
2. US Centers for Medicare & Medicaid Services
3. HIPAA (Health Insurance Portability and Accountability Act) of 1996
4. Each of the policies defined in this document is applicable to the task being performed – not just too specific departments or job titles.

E. PRIVACY OFFICER:

The Agency has established a Privacy Officer (PO) as required by HIPAA. This Privacy Officer will oversee all ongoing activities related to the development, implementation, and maintenance of the Agency privacy policies in accordance with applicable federal and state laws. The current Privacy Officer for the Agency is:

Wanda Robinson, Health Director: 910-592-1131 ext. 4971

F. TECHNOLOGY ASSESSMENT COMMITTEE (TAC):

The Agency has established a Technology Assessment Committee (TAC) made up of key personnel whose responsibility it is to identify areas of concern within the Agency and act as the first line of defense in enhancing the appropriate security posture.

All members identified within this policy are assigned to their positions by the Health Director. The term of each member assigned is at the discretion of the Health Director. This committee will consist of the positions within the Agency most responsible for the overall security policy planning of the organization- the Health Director, Director of Nursing, Accounting Specialist, WIC Director and Environmental Health Supervisor and designated program coordinators. (Where applicable). The current members of the TAC are:

1. Medical Records Asst. V- Martina Copeland
2. Accounting Specialist – Tamra Jones
3. PHN Supervisor I- Patricia Canady-Interim
4. Laboratory Manager- Tracy Harper
5. Administrative Assistant - Sally DeMay
6. Health Director- Wanda Robinson
7. Accounting Technician- Sandra Armwood-Morrissey
8. PHN Supervisor I- Emily Spell



9. PHN III-Mary Anne Johnson
10. IT Director- Chris Rayner
11. IT Support Staff- Jamaal Hayes
12. WIC Director- Erin Ellis (Alternate)
13. WIC- Ernestine Williams
14. Environmental Health Supervisor- Perry Solice (Alternate)
15. Environmental Health-Mark Osborne
16. Director of Nursing- Kelly Parrish

The TAC meets monthly to discuss security issues and to review concerns that arose during the month. The TAC will identify areas that should be addressed during annual training and reviewed/updated security policies as necessary.

The TAC will address security issues as they arise and recommend and approve immediate security actions to be undertaken. It is the responsibility of the TAC to identify areas of concern within the Agency and act as the first line of defense in enhancing the security posture of the Agency.

The TAC is responsible for maintaining a log of security concerns or confidentiality issues. This log must be maintained on a routine basis, and must include the dates of an event, the actions taken to address the event, and recommendations for personnel actions, if appropriate. This log will be reviewed during monthly meetings.

The Privacy Officer (PO) or other assigned personnel is responsible for maintaining a log of security enhancements and features that have been implemented to further protect all sensitive information and assets held by the Agency. This log will also be reviewed during the monthly meetings.

## **2. EMPLOYEE RESPONSIBILITIES:**

### **A. EMPLOYEE REQUIREMENTS:**

The first line of defense in data security is the individual Agency user. Agency users are responsible for the security of all data which may come to them in whatever format. The Agency is responsible for maintaining ongoing training programs to inform all users of these requirements.

1. Wear Identifying Badge so that it may be easily viewed by others - In order to help maintain building security, all employees should prominently display their employee identification badge. Contractors who may be in Agency facilities are provided with visitor identification badges. Other people who may be within Agency facilities should be wearing visitor badges and will be chaperoned.
2. Challenge Unrecognized Personnel - It is the responsibility of all Agency personnel to take positive action to provide physical security. If you see an unrecognized person in a restricted Agency office location, you should challenge them as to their right to be there. All visitors to Agency offices must sign in at the front desk. In addition, all visitors, excluding patients, must wear a visitor badge. All other personnel must be employees of the Agency. Any challenged person who does not respond appropriately should be immediately reported to supervisory staff.
3. Unattended Computers - Unattended computers should be locked by the user when leaving the work area. This feature is discussed with all employees during yearly security training. Agency policy states that all computers will have the automatic screen lock function set to automatically activate five (5) minutes of inactivity. Employees are not allowed to take any action which would override this setting. All employees are to implement the “Flag-L” lock mode each time they leave their computer station.
4. Agency Computer Locations: Agency computer screens are to be placed in an area that is not accessible to the public or others that do not need access to the information on the screen. Agency computers that must be placed in a position where they may be viewed by the public will be: 1) turned in a position to prevent the public from viewing the screen; and/or 2) have a screen-darkening cover to prevent side views of the computer.
5. Home Use of Agency Corporate Assets - Only computer hardware and software owned by and installed by the Agency is permitted to be connected to or installed on Agency equipment. Only software that has been approved for corporate use by the Agency may be installed on Agency equipment. Personal computers supplied by the Agency are to be used solely for business purposes. All employees and contractors must read and understand the list of prohibited activities that are outlined below. Modifications or configuration changes are not permitted on computers supplied by the Agency for home use.
6. Retention of Ownership - All software programs and documentation generated or provided by employees, consultants, or contractors for the benefit of the Agency are the property of the Agency unless covered by a contractual agreement. Nothing

contained herein applies to software purchased by Agency employees at their own expense.

**B. PROHIBITED ACTIVITIES:**

Personnel are prohibited from the following activities. The list is not inclusive. Other prohibited activities are referenced elsewhere in this document.

1. Crashing an information system. Deliberately crashing an information system is strictly prohibited. Users may not realize that they caused a system crash, but if it is shown that the crash occurred as a result of user action, a repetition of the action by that user may be viewed as a deliberate act.
2. Attempting to break into an information resource or to bypass a security feature. This includes running password-cracking programs or sniffer programs and attempting to circumvent file or other resource permissions.
3. Introducing, or attempting to introduce, computer viruses, Trojan horses, peer-to-peer ("P2P") or other malicious code into an information system.
4. Exception: County IT staff may test the resiliency of a system. Such personnel may test for susceptibility to hardware or software failure, security against hacker attacks, and system infection.
5. Browsing. The willful, unauthorized access or inspection of confidential or sensitive information to which you have not been approved on a "need to know" basis is prohibited. The Agency has access to patient level health information which is protected by HIPAA regulations which stipulate a "need to know" before approval is granted to view the information. The purposeful attempt to look at or access information to which you have not been granted access by the appropriate approval procedure is strictly prohibited.
6. Personal or Unauthorized Software. Use of personal software is prohibited. All software installed on Agency computers must be approved by the Agency.
7. Software Use. Violating or attempting to violate the terms of use or license agreement of any software product used by the Agency is strictly prohibited.
8. System Use. Engaging in any activity for any purpose that is illegal or contrary to the policies, procedures or business interests of the Agency is strictly prohibited.

**C. ELECTRONIC COMMUNICATION, E-MAIL, INTERNET USAGE:**

As a productivity enhancement tool, The Agency encourages the business use of electronic communications. However, all electronic communication systems and all messages generated on or handled by Agency owned equipment are considered the property of the Agency – not the property of individual users. Consequently, this policy applies to all Agency employees, and covers all electronic communications including, but not limited to, telephones, e-mail, voice mail, instant messaging, Internet, fax, personal computers, and servers.

Agency provided resources, such as individual computer workstations or laptops, computer systems, networks, e-mail, and Internet software and services are intended for business purposes. However, incidental personal use is permissible as long as:

1. it does not consume more than a trivial amount of employee time or resources,
2. it does not interfere with staff productivity,
3. it does not preempt any business activity,
4. it does not violate any of the following:
  - a. Copyright violations – This includes the act of pirating software, music, books and/or videos or the use of pirated software, music, books and/or videos and the illegal duplication and/or distribution of information and other intellectual property that is under copyright.
  - b. Illegal activities – Use of Agency information resources for or in support of illegal purposes as defined by federal, state or local law is strictly prohibited.
  - c. Commercial use – Use of Agency information resources for personal or commercial profit is strictly prohibited.
  - d. Political Activities – All political activities are strictly prohibited on Agency premises. The Agency encourages all of its employees to vote and to participate in the election process, but these activities must not be performed using Agency assets or resources.
  - e. Harassment – The Agency strives to maintain a workplace free of harassment and that is sensitive to the diversity of its employees. Therefore, the Agency prohibits the use of computers, e-mail, voice mail, instant messaging, texting and the Internet in ways that are disruptive, offensive to others, or harmful to morale. For example, the display or transmission of sexually explicit images, messages, and cartoons is strictly prohibited. Other examples of misuse include, but is not limited to, ethnic slurs, racial comments, off-color jokes, or anything that may be construed as harassing, discriminatory, derogatory, defamatory, threatening or showing disrespect for others.
  - f. Junk E-mail - All communications using IT resources shall be purposeful and appropriate. Distributing “junk” mail, such as chain letters, advertisements, or unauthorized solicitations is prohibited. A chain letter is defined as a letter sent to several persons with a request that each send copies of the letter to an equal number of persons. Advertisements offer services from someone else to you. Solicitations are when someone asks you for something. If you receive any of the above, delete the e-mail message immediately. Do not forward the e-mail message to anyone.

Generally, while it is **NOT** the policy of the Agency to monitor the content of any electronic communication, the Agency is responsible for servicing and protecting the Agency’s equipment, networks, data, and resource availability and therefore may be required to access and/or monitor electronic communications from time to time. Several different methods are employed to accomplish these goals. For example, an audit or cost analysis may require reports that monitor phone numbers dialed, length of calls, number of calls to / from a specific handset, the time of day, etc. Other examples where electronic communications may be monitored include, but are not limited to, research and testing to optimize IT resources, troubleshooting technical problems and detecting patterns of abuse or illegal activity.

The Agency reserves the right, at its discretion, to review any employee's files or electronic communications to the extent necessary to ensure all electronic media and services are used in compliance with all applicable laws and regulations as well as Agency policies.

All electronic communication is to be conducted in a way that recognizes all of the content could be monitored and that any electronic communication could be forwarded, intercepted, printed or stored by others.

D. INTERNET ACCESS:

Internet access is provided for Agency users and is considered a great resource for the organization. This resource is costly to operate and maintain, and must be allocated primarily to those with business, administrative or contract needs. The Internet access provided by the Agency should not be used for personal use, such as entertainment, listening to music, viewing the sports highlight of the day, games, movies, etc. Do not use the Internet as a radio or to constantly monitor the weather or stock market results. While seemingly trivial to a single user, the company wide use of these non-business sites consumes a huge amount of Internet bandwidth, which is therefore not available to responsible users.

Users must understand that individual Internet usage is monitored, and if an employee is found to be spending an excessive amount of time or consuming large amounts of bandwidth for personal use, disciplinary action will be taken.

Many Internet sites, such as games, peer-to-peer file sharing applications, chat rooms, and on-line music sharing applications, have already been blocked by the Agency routers and firewalls. This list is constantly monitored and updated as necessary. Any employee intentionally viewing, downloading, saving, or forwarding pornographic or sexually offensive materials on any Sampson County computer equipment will be disciplined and may be terminated.

E. REPORTING OF SOFTWARE MALFUNCTIONS:

Users should immediately inform the appropriate Agency personnel when the user's software does not appear to be functioning correctly. This will be done through the submission of a work order. The malfunction - whether accidental or deliberate - may pose an information security risk. If the user, or the user's manager or supervisor, suspects a computer virus infection, the Agency computer virus policy should be followed, and these steps should be taken immediately:

1. Stop using the computer
2. Do not carry out any commands, including commands to <Save> data.
3. Do not close any of the computer's windows or programs.

4. Do not turn off the computer or peripheral devices.
5. If possible, physically disconnect the computer from networks to which it is attached.
6. Inform County IT through the submission of a work order as soon as possible. Write down any unusual behavior of the computer (screen messages, unexpected disk access, unusual responses to commands) and the time when they were first noticed.
7. Write down any changes in hardware, software, or software use that preceded the malfunction.
8. Do not attempt to remove a suspected virus!

The IT should monitor the resolution of the malfunction or incident, and report to the TAC the result of the action with recommendations on action steps to avert future similar occurrences.

F. REPORT SECURITY INCIDENTS:

It is the responsibility of each employee to report perceived security incidents on a continuous basis to the appropriate supervisor or security person. A User is any person authorized to access an information resource. Users are responsible for the day-to-day, hands-on security of that resource. Users are to formally report all security incidents or violations of the security policy immediately to the Privacy Officer. Users should report any perceived security incident to either their immediate supervisor, or their department head.

Reports of security incidents shall be escalated as quickly as possible. Each incident will be analyzed to determine if changes in the existing security structure are necessary. All reported incidents are logged and the remedial action indicated. It is the responsibility of the TAC to provide training on any procedural changes that may be required as a result of the investigation of an incident.

Security breaches shall be promptly investigated. If criminal action is suspected, the Privacy Officer shall contact the appropriate law enforcement and investigative authorities immediately, which may include but is not limited to the police or the FBI.

G. TRANSFER OF SENSITIVE/CONFIDENTIAL INFORMATION:

When confidential or sensitive information from one individual is received by another individual while conducting official business, the receiving individual shall maintain the confidentiality or sensitivity of the information in accordance with the conditions imposed by the providing individual. All employees must recognize the sensitive nature of data maintained by the Agency and hold all data in the strictest confidence. Any purposeful release of data to which an employee may have access is a violation of Agency policy and will result in personnel action and may result in legal action.

H. TRANSFERRING SOFTWARE AND FILES BETWEEN HOME AND WORK:

Personal software shall not be used on Agency computers or networks. If a need for specific software exists, submit a request to your supervisor or department head. Users shall not use Agency purchased software on home or on non-Agency computers or equipment.

Agency proprietary data, including but not limited to patient information, IT Systems information, financial information or human resource data, shall not be placed on any computer that is not the property of the Agency without written consent of the respective department supervisor or department head. It is crucial to the Agency to protect all data and, in order to do that effectively, we must control the systems in which it is contained. In the event that a supervisor or department head receives a request to transfer Agency data to a non-Agency Computer System, the supervisor or department head should notify the Privacy Officer or appropriate personnel of the intentions and the need for such a transfer of data.

The Agency Wide Area Network (“WAN”) is maintained with a wide range of security protections in place, which include features such as virus protection, e-mail file type restrictions, firewalls, anti-hacking hardware and software, etc. Since the Agency does not control non-Agency personal computers, the Agency cannot be sure of the methods that may or may not be in place to protect Agency sensitive information, hence the need for this restriction.

#### I. INTERNET CONSIDERATIONS:

Special precautions are required to block Internet (public) access to Agency information resources not intended for public access, and to protect confidential Agency information when it is to be transmitted over the Internet.

The following security and administration issues shall govern Internet usage. Prior approval of the Agency Privacy Officer or appropriate personnel authorized by the Agency shall be obtained before:

1. An Internet, or other external network connection, is established;
2. Agency information (including notices, memoranda, documentation and software) is made available on any Internet-accessible computer (e.g. web or ftp server) or device;
3. Users may not install or download any software (applications, screen savers, etc.). If users have a need for additional software, the user is to contact their supervisor;
4. Use shall be consistent with the goals of the Agency. The network can be used to market services related to the Agency, however use of the network for personal profit or gain is prohibited.
5. Confidential or sensitive data - including credit card numbers, telephone calling card numbers, logon passwords, and other parameters that can be used to access goods or services - shall be encrypted before being transmitted through the Internet.
6. The encryption software used, and the specific encryption keys (e.g. passwords, pass phrases), shall be escrowed with the Agency Privacy Officer or appropriate personnel, to ensure they are safely maintained/stored. The use of encryption

software, which have not been escrowed as prescribed above, is prohibited, and may make the user subject to disciplinary action.

J. USE OF WINZIP ENCRYPTED AND ZIPPED E-MAIL:

This software allows Agency personnel to exchange e-mail with remote users who have the appropriate encryption software on their system. Any Agency staff member who desires to utilize this technology may request this software from the approval of the Privacy Officer to be installed by IT.

K. DE-IDENTIFICATION/RE-IDENTIFICATION OF PERSONAL HEALTH INFORMATION (PHI):

As directed by HIPAA, all personal identifying information is removed from all data that falls within the definition of PHI before it is stored or exchanged.

De-identification is defined as the removal of any information that may be used to identify an individual or of relatives, employers, or household members.

PHI includes:

1. Names
2. Addresses
3. Geographic subdivisions smaller than a state
4. All elements of dates directly related to the individual (Dates of birth, marriage, death, etc.)
5. Telephone numbers
6. Facsimile numbers
7. Driver's license numbers
8. Electronic mail addresses
9. Social security numbers
10. Medical record numbers
11. Health plan beneficiary numbers
12. Account numbers, certificate/license numbers
13. Vehicle identifiers and serial numbers
14. Device identifiers and serial numbers
15. Web Universal Resource Locators (URLs)
16. Internet Protocol (IP) address numbers
17. Biometric identifiers
18. Full face photographic images and any comparable images



### 3. **IDENTIFICATION AND AUTHENTICATION:**

#### A. **USER LOGON IDS:**

Individual users shall have unique logon IDs and passwords. An access control system shall identify each user and prevent unauthorized users from entering or using information resources. Security requirements for user identification include:

1. Each user shall be assigned a unique identifier.
2. Users shall be responsible for the use and misuse of their individual logon ID.

All user login IDs are audited at least annually and all inactive logon IDs are revoked. The Agency Human Resources staff notifies IT and the county office upon the departure of all employees, at which time login IDs are revoked.

The logon ID is locked or revoked after a maximum of three (3) unsuccessful logon attempts which then require the passwords to be reset by the appropriate Administrator.

Users who desire to obtain access to Agency systems or networks must have a completed and signed Network Access Form (Appendix A). This form must be signed by the Privacy Officer and Security Officer of each user requesting access.

#### B. **PASSWORDS:**

##### 1. **User Account Passwords:**

User IDs and passwords are required in order to gain access to all Agency networks and workstations. All passwords are restricted by a corporate-wide password policy to be of a "Strong" nature. This means that all passwords must conform to restrictions and limitations that are designed to make the password difficult to guess. Users are required to select a password in order to obtain access to any electronic information both at the server level and at the workstation level. When passwords are reset, the user will be automatically prompted to manually change that assigned password.

- a. **Password Length** – Passwords are required to be a minimum of eight characters.
- b. **Content Requirements** - Passwords must contain a combination of one upper case alphabetic character, lower case alphabetic characters, and one numeric characters or special characters.
- c. **Change Frequency** – Passwords must be changed every 90 days. Compromised passwords shall be changed immediately.
- d. **Reuse** - The previous twelve passwords cannot be reused.
- e. **Restrictions on Sharing Passwords** - Passwords shall not be shared, written down on paper, or stored within a file or database on a workstation and must be kept confidential.

- f. Restrictions on Recording Passwords - Passwords are masked or suppressed on all online screens, and are never printed or included in reports or logs. Passwords are stored in an encrypted format.

C. CONFIDENTIALITY AGREEMENT:

Users of Agency information resources shall sign, as a condition for employment, the Sampson County Health Department Security Confidentiality agreement (Appendix B). The agreement shall include the following statement:

*I understand that any unauthorized use or disclosure of information residing on the Agency information resource systems may result in disciplinary action consistent with the policies and procedures of Sampson County Health Department and other federal, state, and local agencies.*

Temporary workers and third-party employees not already covered by a confidentiality agreement shall sign the confidentiality agreement prior to accessing the agency information resources.

Confidentiality agreements shall be reviewed annually and when there are changes to contracts or other terms of employment, particularly when contracts are ending or employees are leaving an organization.

D. ACCESS CONTROL:

Information resources are protected by the use of access control systems. Access control systems include both internal (i.e. passwords, encryption, access control lists, constrained user interfaces, etc.) and external (i.e. port protection devices, firewalls, host-based authentication, etc.).

Rules for access to resources (including internal and external telecommunications and networks) have been established by the information/application owner or manager responsible for the resources. Access is granted only by the completion of a Network Access Request Form (Appendix A). This form can only be initiated by the Security Officer upon request of the department supervisor and must be signed by the Privacy Officer and the Security Officer.

This guideline satisfies the "need to know" requirement of the HIPAA regulation, since the department supervisor is the person who most closely recognizes an employee's need to access data. Users may be added to the information system, network, or EHR **only** upon the signature of the Privacy and Security Officer or appropriate personnel who is responsible for adding the employee to the network in a manner and fashion that ensures the employee is granted access to data only as specifically requested.

1. Identification and Authentication Requirements

The host security management program shall maintain current user application activity authorizations. Each initial request for a connection or a session is subject to the authorization process previously addressed.

E. USER LOGIN ENTITLEMENT REVIEWS:

If an employee changes positions at the Agency, the employee's new department supervisor or department head shall promptly notify the Information Technology ("IT") Department of the change of roles by indicating on the Network Access Request Form (Appendix A) both the roles or access that need to be added and the roles or access that need to be removed so that employee has access to the minimum necessary data to effectively perform their new job functions. The effective date of the position change should also be noted on the Form so that the IT Department can ensure that the employee will have appropriate roles, access, and applications for their new job responsibilities. For a limited training period, it may be necessary for the employee who is changing positions to maintain their previous access as well as adding the roles and access necessary for their new job responsibilities.

No less than annually, the IT Manager shall facilitate entitlement reviews with the department supervisors and department head to ensure that all employees have the appropriate roles, access, and software necessary to perform their job functions effectively while being limited to the minimum necessary data to facilitate HIPAA compliance and protect patient data.

F. TERMINATION OF USER LOGON ACCOUNT:

Upon termination of an employee, whether voluntary or involuntary, the security officer shall promptly notify the IT Department by submitting a work order. The employee's department head shall be responsible for insuring that all keys, ID badges, and other access devices as well as Agency equipment and property is returned to the Agency prior to the employee leaving the Agency on their final day of employment.

No less than quarterly, the Security Officer /IT Manager shall provide a list of active user accounts for both network and application access, including access to the clinical electronic health record ("EHR") and the agency management system ("PMS"), to department head for review. The IT department will maintain a list of all software and IT will maintain the server software list. Department head shall review the employee access lists within five (5) business days of receipt. If any of the employees on the list are no longer employed by the Agency, the administrative assistant will immediately notify the IT Department of the employee's termination status by work order and submit the updated Network Access Request Form (Appendix A).

#### **4. NETWORK CONNECTIVITY:**

##### **A. TELECOMMUNICATION EQUIPMENT:**

Certain direct link connections may require a dedicated or leased phone line. These facilities are authorized only by the Privacy Officer or appropriate personnel and ordered by the appropriate personnel. Telecommunication equipment and services include but are not limited to the following:

1. phone lines
2. fax lines
3. phone head sets
4. software type phones installed on workstations
5. cell phones
6. call routing software
7. call reporting software
8. phone system administration equipment
9. T1/Network lines
10. long distance lines
11. local phone lines
12. telephone equipment

##### **B. PERMANENT CONNECTIONS:**

The security of Agency systems can be jeopardized from third party locations if security practices and resources are inadequate. When there is a need to connect to a third party location, a risk analysis should be conducted. The risk analysis should consider the type of access required, the value of the information, the security measures employed by the third party, and the implications for the security of Agency systems. The Privacy Officer or appropriate personnel should be involved in the process, design and approval.

##### **C. EMPHASIS ON SECURITY IN THIRD PARTY CONTRACTS:**

Access to Agency computer systems or corporate networks shall not be granted until a review of the following concerns have been made, and appropriate restrictions or covenants included in a statement of work (“SOW”) with the party requesting access.

1. Applicable sections of the Agency Information Security Policy have been reviewed and considered.
2. Policies and standards established in the Agency information security program have been enforced.
3. A risk assessment of the additional liabilities that will attach to each of the parties to the agreement.
4. The right to audit contractual responsibilities should be included in the agreement or SOW.

5. Arrangements for reporting and investigating security incidents must be included in the agreement in order to meet the covenants of the HIPAA Business Associate Agreement.
6. A description of each service to be made available.
7. Each service, access, account, and/or permission made available should only be the minimum necessary for the third party to perform their contractual obligations.
8. A detailed list of users that have access to Agency computer systems must be maintained and auditable.
9. If required under the contract, permission should be sought to screen authorized users.
10. Dates and times when the service is to be available should be agreed upon in advance.
11. Procedures regarding protection of information resources should be agreed upon in advance and a method of audit and enforcement implemented and approved by both parties.
12. The right to monitor and revoke user activity should be included in each agreement.
13. Language on restrictions on copying and disclosing information should be included in all agreements.
14. Responsibilities regarding hardware and software installation and maintenance should be understood and agreement upon in advance.
15. Measures to ensure the return or destruction of programs and information at the end of the contract should be written into the agreement.
16. If physical protection measures are necessary because of contract stipulations, these should be included in the agreement.
17. A formal method to grant and authorized users who will access to the data collected under the agreement should be formally established before any users are granted access.
18. Mechanisms should be in place to ensure that security measures are being followed by all parties to the agreement.
19. Because annual confidentiality training is required under the HIPAA regulation, a formal procedure should be established to ensure that the training takes place, that there is a method to determine who must take the training, who will administer the training, and the process to determine the content of the training established.
20. A detailed list of the security measures which will be undertaken by all parties to the agreement should be published in advance of the agreement.

D. FIREWALLS:

Authority from the IT Director or Privacy Officer must be received before any employee or contractor is granted access to Agency router or firewall.

## 5. MALICIOUS CODE:

### A. ANTIVIRUS SOFTWARE INSTALLATION:

Antivirus software is installed on all Agency personal computers and servers. Virus update patterns are updated daily on the Agency servers and workstations. Virus update engines and data files are monitored by appropriate administrative staff that is responsible for keeping all virus patterns up to date.

Configuration - The antivirus software currently implemented by the Agency is TRAPS-made by Paloalto. Antivirus software is purchased and updated as needed.

Remote Deployment Configuration - Through an automated procedure, updates and virus patches may be pushed out to the individual workstations and servers on an as needed basis.

Monitoring/Reporting – A record of virus patterns for all workstations and servers on the Agency network may be maintained. IT Director or department is responsible for providing reports for auditing and emergency situations as requested by the Privacy Officer.

### B. NEW SOFTWARE DISTRIBUTION:

Only software created by Agency application staff, if applicable, or software approved by the Privacy Officer or appropriate personnel will be used on internal computers and networks. A list of approved software is maintained in Appendix C. All new software will be tested by appropriate personnel in order to ensure compatibility with currently installed software and network configuration. In addition, IT staff will scan all software for viruses before installation. This includes shrink-wrapped software procured directly from commercial sources.

All data and program files that have been electronically transmitted to an Agency computer or network from another location must be scanned for viruses immediately after being received. Contact the IT staff who will scan files for viruses.

Every diskette, CD-ROM, DVD and USB device is a potential source for a computer virus. Therefore, every diskette, CD-ROM, DVD and USB device must be scanned for virus infection prior to copying information to an Agency computer or network.

Computers shall never be “booted” from a diskette, CD-ROM, DVD or USB device received from an outside source. Users shall always remove any diskette, CD-ROM, DVD or USB device from the computer when not in use. This is to ensure that the diskette, CD-ROM, DVD or USB device is not in the computer when the machine is powered on. A diskette, CD-ROM, DVD or USB device infected with a boot virus may infect a computer in that manner, even if the diskette, CD\_ROM, DVD or USB device is not “bootable”.

C. RETENTION OF OWNERSHIP:

All software programs, documents and documentation generated or provided by employees, consultants, or contractors for the benefit of the Agency are the property of the Agency unless covered by a contractual agreement. Employees receive training on acknowledging Agency ownership during orientation and on annual basis. Nothing contained herein applies to software purchased by Agency employees at their own expense.

**6. ENCRYPTION:**

**A. DEFINITION:**

Encryption is the translation of data into a secret code. Encryption is the most effective way to achieve data security. To read an encrypted file, you must have access to a password that enables you to decrypt it. Unencrypted data is called plain text; encrypted data is referred to as cipher text.

**B. ENCRYPTION:**

An encryption specifies the particular transformation of plain text into cipher text, or vice versa during decryption.

If justified by risk analysis, sensitive data and files shall be encrypted before being transmitted through networks. When encrypted data are transferred between agencies, the agencies shall devise a mutually agreeable procedure for secure management. In the case of conflict, the Agency shall establish the criteria in conjunction with the Privacy Officer or appropriate personnel. The Agency employs several methods of secure data transmission.

**C. INSTALLATION OF AUTHENTICATION AND ENCRYPTION SOFTWARE -ON THE E-MAIL SYSTEM:**

Any user desiring to transfer secure e-mail with a specific identified external user may request access to Encrypted email by contacting the Privacy Officer or IT department. Once verified, the software is installed on each recipient workstation, and the two may safely exchange secure e-mail.

**D. USE OF WINZIP ENCRYPTED AND ZIPPED E-MAIL:**

This software allows Agency personnel to exchange e-mail with remote users who have the appropriate encryption software on their system. Any Agency staff member who desires to utilize this technology may request this software from the Privacy Officer or Security Officer.

**E. FILE TRANSFER PROTOCOL (FTP):**

Files may be transferred to secure FTP sites through the use of appropriate security precautions. Requests for any FTP transfers should be directed to the Privacy Officer or appropriate personnel.

**F. SECURE SOCKET LAYER (SSL) WEB INTERFACE:**



Any EHR hosted (ASP) system, if applicable, will require access to a secure SSL website. Any such access must be requested using the Network Access Request Form (found in Appendix A) and have appropriate approval from the supervisor or department head as well as the Privacy Officer or Security Officer before any access is granted.

## **7. BUILDING SECURITY:**

It is the policy of the Agency to provide building access in a secure manner. The site building is County property and all lease contracts, entrance way access, fire escape requirements, and server room control are the responsibility of the County. However, the Agency strives to continuously upgrade and expand its security and to enhance protection of its assets and medical information that has been entrusted to it. The following list identifies measures that are in effect at the Agency.

Description of building, location, square footage, and the use of any generator.

1. Entrance to the building during non-working hours is controlled by a security code system.
2. The door to the reception area is locked at all times and requires appropriate credentials or escort past the reception or waiting area door(s).
3. The reception area is staffed at all times during the working hours of 8:00 AM to 5:00 PM.
4. Any unrecognized person in a restricted office/department location should be challenged as to their right to be there. All visitors must sign in at the front desk, wear a visitor badge (excluding patients), and be accompanied by Agency staff member. In some situations, non-Agency personnel, who have signed the confidentiality agreement, do not need to be accompanied at all times.
5. Swipe cards control access to all other doors. Each card is coded to allow admission to specific areas based on each individual's job function or need to know.
6. The building is equipped with security cameras to record activities in the parking lot and within the area encompassing the main entrances to the Agency. All activities in these areas are recorded on a 24 hour a day 365 day per year basis.
7. Fire Protection: Use of local building codes will be observed. Manufacturer's recommendations on the fire protection of individual hardware will be followed.

## **8. TELECOMMUTING:**

With the increased availability of broadband access and VPNs, telecommuting has become more viable for many organizations. The Agency considers telecommuting to be an acceptable work arrangement in certain circumstances. This policy is applicable to all employees and contractors who work occasionally outside of the Agency office environment. It applies to users who may work from their home, to employees on temporary travel, to users who work from a remote location, and to any user who connects to the Agency network and/or hosted EHR, if applicable, from a remote location.

While telecommuting can be an advantage for users and for the organization in general, it presents new risks in the areas of confidentiality and security of data. Workers linked to the Agency's network become an extension of the wide area network and present additional environments that must be protected against the danger of spreading Trojans, viruses, or other malware. This arrangement also exposes the corporate as well as patient data to risks not present in the traditional work environment.

### **A. GENERAL REQUIREMENTS:**

Telecommuting workers are required to follow all corporate, security, confidentiality, HR, or Code of Conduct policies that are applicable to other employees.

1. **Need to Know:** Telecommuting Users will have the access based on the same 'need to know' as they have when in the office.
2. **Password Use:** The use of a strong password, changed at least every 90 days, is even more critical in the telecommuting environment. Do not share your password or write it down where a family member or visitor can see it.
3. **Training:** Personnel who telecommute must complete the same annual privacy training as all other employees.
4. **Contract Specific:** There may be additional requirements specific to the individual contracts to which an employee is assigned.

### **B. EMPLOYEE RULES:**

Remote data entry devices, such as laptop computers, which are used for client information, pose a unique privacy risk with the potential of the devices being misplaced, lost, stolen or accessed by unauthorized persons. The following guidelines will be used for remote devices.

1. The installation and use of any software used on a remote device must be approved by Privacy Officer.
2. Remote devices will not be purchased or used without prior County approval.
3. Remote devices that contain confidential and/or client information will not be left unattended in the field.
4. Remote devices that contain confidential and/or client information will not be left unattended for more than five (5) minutes when in the agency.

5. Remote devices will automatically be configured to automatically power off after five (5) minutes of inactivity.
6. Remote device users will not share passwords or permit unauthorized use of County remote devices for any purpose.
7. Remote devices that store client information will have individual passwords to prevent unauthorized access.
8. Remote device users will immediately report the loss or unauthorized use of any remote device to the Privacy Officer or Security Officer.

**B. REQUIRED EQUIPMENT:**

Employees approved for telecommuting must understand that the Agency will not provide all equipment necessary to ensure proper protection of information to which the employee has access; however, the following lists define the equipment and environment required:

1. Agency Provided:
  - a. MiFi
  - b. Cell Phone with Hotspot access
  - c. Laptop
2. **Virus Protection:** Employees must never stop the update process for Virus Protection. Virus Protection software is installed on all Agency computers and is set to update the virus pattern on a daily basis. This update is critical to the security of all data, and must be allowed to complete.
3. **VPN and Firewall Use:** Established procedures must be rigidly followed when accessing Agency information of any type. The Agency requires the use of VPN software and a firewall device. Disabling a virus scanner or firewall is reason for termination.
4. **Lock Screens:** Regardless of the computer location, always use “Flag-L” to lock the screen before walking away from the workstation. The data on the screen may be protected by HIPAA or may contain confidential information. The automatic lock feature with a password protected screen saver has been set to automatically turn on after five (5) minutes of inactivity.

**C. DATA SECURITY PROTECTION:**

1. **Data Backup:** Backup procedures have been established that encrypt the data being moved to an external media. Employees will only use that procedure and will not create a personal procedure. Employees that have external media that is not encrypted will contact the appropriate Agency personnel for assistance. Employees will keep external media in their possession at all times when out of the Agency to ensure it is protected at all times.

2. Transferring Data to the Agency: Transferring of data to the Agency requires the use of an approved VPN connection to ensure the confidentiality and integrity of the data being transmitted. Employees will not circumvent established procedures nor create a personal method when transferring data to the Agency.
3. External System Access: Employees that require access to an external system will contact the department supervisor or department head. The Privacy Officer or appropriate personnel will assist in establishing a secure method of access to the external system.
4. E-mail: Do not send any individual-identifiable information (PHI or PII) via e-mail unless it is encrypted. Employees that need assistance will contact the Privacy Officer or appropriate personnel to ensure an approved encryption mechanism is used for transmission through e-mail.
5. Non-Agency Networks: Extreme care must be taken when connecting Agency equipment to a home, hotel or other network. Although the Agency actively monitors its security status and maintains organization wide protection policies to protect the data within all contracts, the Agency has no ability to monitor or control the security procedures on non-Agency networks.
6. Protect Data in Employee's Possession: Employees will view or access only the information required to complete work assignments. Employees will regularly review the stored data to ensure that the amount of patient level data is kept at a minimum and that old data is eliminated as soon as possible. Store electronic data only in encrypted workspaces. If an employee's laptop has not been set up with an encrypted workspace, he/she will contact the Privacy Officer or appropriate personnel for assistance.
7. Hard Copy Reports or Work Papers: Employees will never leave paper records around the work area. All paper records will be in a locked area at night or when employees leave the work area.
8. Data Entry When in a Public Location: Employees will not perform work tasks which require the use of sensitive corporate or patient level information when in a public area, i.e. airports, airplanes, restaurants, hotel lobbies, etc. Computer screens can easily be viewed from beside or behind the employee.
9. Sending Data Outside the Agency: All external transfer of data must be associated with an official contract, non-discloser agreement, or appropriate Business Associate Agreement. Do not give or transfer any patient level information to anyone outside the Agency without the written approval of the department supervisor or department head.

D. DISPOSAL OF PAPER AND/OR EXTERNAL MEDIA:

Shredding: All paper which contains sensitive information that is no longer needed must be shredded before being disposed. Do not place in a trash container without first shredding. All employees working from other non-Agency work environment, MUST have direct access to a shredder or bring the paper back to the Agency to be shredded.

Disposal of Electronic Media: All external media must be sanitized or destroyed in accordance with HIPAA compliant procedures.

1. Do not throw any media containing sensitive, protected information in the trash.
  2. Return all external media to the department supervisor or department head.
  3. External media must be wiped clean of all data. The Privacy Officer or appropriate personnel has very definitive procedures for performing the process; therefore, all external media must be sent to them.
- IT will review all media to ensure all data has been deleted before disposal.

## **9. SPECIFIC PROTOCOLS AND DEVICES:**

### **A. WIRELESS USAGE STANDARDS AND POLICY:**

Due to an emergence of wireless access points in hotels, airports, other public areas and homes, it has become imperative that all employees follow all guidelines and rules set by this Wireless Usage Policy to ensure the security and functionality of such connections for Agency employees. This policy outlines the processes and procedures for acquiring wireless access privileges, utilizing wireless access, and ensuring the security of Agency laptops and mobile devices.

1. Approval Procedure - In order to be granted the ability to utilize the wireless network interface on your Agency laptop or mobile device you will be required to gain the approval of the Privacy Officer or Security Officer. The Network Access Request Form (found in Appendix A) is used to approve request. Once approved administrative assistant will submit Work Order request for IT personnel to setup your laptop and schedule training.
2. Software Requirements - The following is a list of minimum software requirements for any Agency laptop that is granted the privilege to use wireless access:
  - a. Windows 10 Professional
  - b. Antivirus software
  - c. Internet Explorer 11.0 SP2 or Greater

If the employee's laptop does not have all of these software components, he/she will notify the department supervisor or department head to have these components installed.

3. Training Requirements – Employees with approval for wireless access to Agency computer will be required to attend a usage and security training session to be provided by the Privacy Officer. This training session will cover the basics of connecting to wireless networks, securing the computer when connected to a wireless network, and the proper method for disconnecting from wireless networks. This training will be conducted during orientation and annually thereafter.

### **B. USE OF TRANSPORTABLE MEDIA:**

Transportable media included within the scope of this policy includes, but is not limited to, SD cards, DVDs, CD-ROMs, and USB key devices.

The purpose of this policy is to guide employees/contractors of the Agency in the proper use of transportable media when a legitimate business requirement exists to transfer data to and from Agency networks. Every workstation or server that has been used by either Agency employees or contractors is presumed to have sensitive information stored on its hard drive. Therefore, procedures must be carefully followed when copying data to or from transportable media to protect sensitive Agency data. Since transportable media, by their very design are easily lost, care and protection of these devices is essential.

The use of transportable media in various formats is common practice within the Agency. All users must be aware that sensitive data could potentially be lost or compromised when moved outside of Agency networks. Transportable media received from an external source could potentially pose a threat to Agency networks. **Sensitive data** includes all human resource data, financial data, Agency proprietary information, and personal health information (“PHI”) protected by the Health Insurance Portability and Accountability Act (“HIPAA”).

Rules governing the use of transportable media include:

1. No **sensitive data** should ever be stored on transportable media unless the data is maintained in an encrypted format.
2. All USB keys used to store Agency data or sensitive data must be an encrypted USB key issued by the Privacy Officer or appropriate personnel. The use of a personal USB key is strictly prohibited.
3. Users must never connect their transportable media to a workstation that is not issued by the Agency.
4. Non-Agency workstations and laptops may not have the same security protection standards required by the Agency, and accordingly virus patterns could potentially be transferred from the non-Agency device to the media and then back to the Agency workstation.

Example: Do not copy a work spreadsheet to your USB key and take it home to work on your home PC.

5. Data may be exchanged between Agency workstations/networks and workstations used within the Agency. The very nature of data exchange requires that under certain situations data be exchanged in this manner.

Examples of necessary data exchange include:

Data provided to auditors via USB key during the course of the audit.

6. It is permissible to connect transferable media from other businesses or individuals into Agency workstations or servers as long as the source of the media is approved by the IT Manager.
7. Before initial use and before any **sensitive data** may be transferred to transportable media, the media must be sent to the Privacy Officer or IT Manager to ensure appropriate and approved encryption is used.
8. Report all loss of transportable media to the department supervisor or department head. It is important that the TAC team is notified either directly from the employee or contractor or by the department supervisor or department head immediately.
9. When an employee leaves the Agency, all transportable media in their possession must be returned to the Privacy Officer.

The Agency utilizes an approved method of encrypted data to ensure that all data is converted to a format that cannot be decrypted. The Privacy Officer or IT Manager can quickly establish an encrypted partition on your transportable media.



When no longer in productive use, all Agency laptops, workstation, or servers must be wiped of data in a manner which conforms to HIPAA regulations. All transportable media must be wiped according to the same standards. Thus all transportable media must be returned to the Security Officer for data erasure when no longer in use.

**10. RETENTION/DESTRUCTION OF MEDICAL INFORMATION:**

Many state and federal laws regulate the retention and destruction of medical information. The Agency actively conforms to these laws and follows the strictest regulation if/when a conflict occurs.

1. Record Retention - Documents relating to uses and disclosures, authorization forms, business partner contracts, notices of information agency, responses to a patient who wants to amend or correct their information, the patient's statement of disagreement, and a complaint record are maintained per the North Carolina Record Retention Laws.
2. Record Destruction - All hardcopy medical records that require destruction are shredded using NIST 800-88 guidelines. Medical Records Policy will be used as a guide.

## **11. DISPOSAL OF EXTERNAL MEDIA/HARDWARE:**

### **A. DISPOSAL OF EXTERNAL MEDIA:**

It must be assumed that any external media in the possession of an employee is likely to contain either protected health information (“PHI”) or other sensitive information. Accordingly, external media (CD-ROMs, DVDs, diskettes, USB drives) should be disposed of in a method that ensures that there will be no loss of data and that the confidentiality and security of that data will not be compromised.

The following steps must be adhered to:

1. It is the responsibility of each employee to identify media which should be destroyed and to utilize this policy in its destruction.
2. External media should never be thrown in the trash.
3. When no longer needed all forms of external media are to be sent to the Privacy Officer or IT Department for proper disposal.
4. The media will be secured until appropriate destruction methods are used based on NIST 800-88 guidelines.

### **B. REQUIREMENTS REGARDING EQUIPMENT:**

All equipment to be disposed of will be wiped of all data, and all settings and configurations will be reset to factory defaults. No other settings, configurations, software installation or options will be made. Asset tags and any other identifying logos or markings will be removed.

### **C. DISPOSITION OF EXCESS EQUIPMENT:**

As the older Agency computers and equipment are replaced with new systems, the older machines may be held in inventory for a wide assortment of uses:

1. Older machines are regularly utilized for spare parts.
2. Older machines are used on an emergency replacement basis.
3. Older machines are used for testing new software.
4. Older machines are used as backups for other production equipment.
5. Older machines are used when it is necessary to provide a second machine for personnel who travel on a regular basis.

## **12. CHANGE MANAGEMENT:**

### **A. STATEMENT OF POLICY:**

To ensure that Agency is tracking changes to networks, systems, and workstations including software releases and software vulnerability patching in information systems that contain electronic protected health information (“ePHI”). Change tracking allows the Information Technology (“IT”) Department to efficiently troubleshoot issues that arise due to an update, new implementation, reconfiguration, or other change to the system.

### **B. PROCEDURE:**

1. The IT staff that is updating, implementing, reconfiguring, or otherwise changing the system shall carefully log all changes made to the system.
2. When changes are tracked within a system, i.e. Windows updates in the Add or Remove Programs component or electronic health record (EHR) updates performed and logged by the vendor, they do not need to be logged on the change management tracking log; however, the employee implementing the change will ensure that the change tracking is available for review if necessary.
3. The employee implementing the change will ensure that all necessary data backups are performed prior to the change.
4. The employee implementing the change shall also be familiar with the rollback process in the event that the change causes an adverse effect within the system and needs to be removed.

### **13. AUDIT CONTROLS:**

#### **A. STATEMENT OF POLICY:**

To ensure that Agency implements hardware, software, and/or procedural mechanisms that record and examine activity in information systems that contain electronic protected health information (“ePHI”). Audit Controls are technical mechanisms that track and record computer activities. An audit trail determines if a security violation occurred by providing a chronological series of logged computer events that relate to an operating system, an application, or user activities.

The Agency is committed to routinely auditing users’ activities in order to continually assess potential risks and vulnerabilities to ePHI in its possession. As such, the Agency will continually assess potential risks and vulnerabilities to ePHI in its possession and develop, implement, and maintain appropriate administrative, physical, and technical security measures in accordance with the HIPAA Security Rule.

#### **B. PROCEDURE:**

1. See policy entitled Information System Activity Review - #14 for the administrative safeguards for auditing system activities.
2. The Information Technology Services shall enable event auditing on all computers that process, transmit, and/or store ePHI for purposes of generating audit logs. Each audit log shall include, at a minimum: user ID, login time and date, and scope of patient data being accessed for each attempted access. Audit trails shall be stored on a separate computer system to minimize the impact of such auditing on business operations and to minimize access to audit trails.
3. The Agency shall utilize appropriate network-based and host-based intrusion detection systems. The Information Technology Services shall be responsible for installing, maintaining, and updating such systems.

## **14. INFORMATION SYSTEM ACTIVITY REVIEW:**

### **A. STATEMENT OF POLICY:**

To establish the process for conducting, on a periodic basis, an operational review of system activity including, but not limited to, user accounts, system access, file access, security incidents, audit logs, and access reports. Agency shall conduct on a regular basis an internal review of records of system activity to minimize security violations

### **B. PROCEDURE:**

1. See policy entitled Audit Controls – see #13 above – for a description of the technical mechanisms that track and record activities on Agency’s information systems that contain or use ePHI.
2. The Information Technology Services shall be responsible for conducting reviews of Agency’s information systems’ activities. Such person(s) shall have the appropriate technical skills with respect to the operating system and applications to access and interpret audit logs and related information appropriately.
3. The Security Officer shall develop a report format to capture the review findings. Such report shall include the reviewer’s name, date and time of performance, and significant findings describing events requiring additional action (e.g., additional investigation, employee training and/or discipline, program adjustments, modifications to safeguards). To the extent possible, such report shall be in a checklist format.
4. Such reviews shall be conducted annually. Audits also shall be conducted if Agency has reason to suspect wrongdoing. In conducting these reviews, the Information Technology Services shall examine audit logs for security-significant events including, but not limited to, the following:
  - a. Logins – Scan successful and unsuccessful login attempts. Identify multiple failed login attempts, account lockouts, and unauthorized access.
  - b. File accesses – Scan successful and unsuccessful file access attempts. Identify multiple failed access attempts, unauthorized access, and unauthorized file creation, modification, or deletion.
  - c. Security incidents – Examine records from security devices or system audit logs for events that constitute system compromises, unsuccessful compromise attempts, malicious logic (e.g., viruses, worms), denial of service, or scanning/probing incidents.
  - d. User Accounts – Review of user accounts within all systems to ensure users that no longer have a business need for information systems no longer have such access to the information and/or system.

All significant findings shall be recorded using the report format referred to in Section 2 of this policy and procedure.

1. The Information Technology Services shall forward all completed reports, as well as recommended actions to be taken in response to findings, to the Security Officer for review.
2. The Security Officer shall be responsible for maintaining such reports. The Security Officer shall consider such reports and recommendations in determining whether to make changes to Agency's administrative, physical, and technical safeguards.
3. In the event a security incident is detected through such auditing, such matter shall be addressed pursuant to the policy entitled Employee Responsibilities (Report Security Incidents).

## **15. DATA INTEGRITY:**

### **A. STATEMENT OF POLICY:**

Agency shall implement and maintain appropriate electronic mechanisms to corroborate that ePHI has not been altered or destroyed in an unauthorized manner.

The purpose of this policy is to protect Agency's ePHI from improper alteration or destruction.

### **B. PROCEDURE:**

To the fullest extent possible, Agency shall utilize applications with built-in intelligence that automatically checks for human errors.

Agency shall acquire appropriate network-based and host-based intrusion detection systems. The IT Officer shall be responsible for installing, maintaining, and updating such systems.

To prevent transmission errors as data passes from one computer to another, Agency will use encryption, as determined to be appropriate, to preserve the integrity of data.

Agency will check for possible duplication of data in its computer systems to prevent poor data integration between different computer systems.

To prevent programming or software bugs, Agency will test its information systems for accuracy and functionality before it starts to use them. Agency will update its systems when IT vendors release fixes to address known bugs or problems.

1. Agency will install and regularly update antivirus software on all workstations to detect and prevent malicious code from altering or destroying data.
2. To prevent exposing magnetic media to a strong magnetic field, workforce members shall keep magnetic media away from strong magnetic fields and heat. For example, computers should not be left in automobiles during the summer months.



## **16. CONTINGENCY PLAN:**

### **A. STATEMENT OF POLICY:**

To establish and implement policies and procedures for responding to an emergency or other occurrence (e.g., fire, vandalism, system failure, natural disaster) that damages systems that contain ePHI.

Agency is committed to maintaining formal practices for responding to an emergency or other occurrence that damages systems containing ePHI. Agency shall continually assess potential risks and vulnerabilities to protect health information in its possession, and develop, implement, and maintain appropriate administrative, physical, and technical security measures in accordance with the HIPAA Security Rule.

### **B. PROCEDURE:**

#### **1. Data Backup Plan**

- a. Agency, under the direction of the Security Officer, shall implement a data backup plan to create and maintain retrievable exact copies of ePHI.
- b. ePHI is backed up on a daily basis by CureMD. CureMD is responsible for the back-up of all servers
- c. CureMD will monitor storage and all back-ups to ensure all applicable access controls are enforced.
- d. CureMD and the Security Officer will perform test back-up procedures at least annually to ensure that exact copies of ePHI can be retrieved and made available. If such testing indicates need for improvement in backup procedures, CureMD will identify and implement such improvements in a timely manner.
- e. All T-Drive information is backed-up using industry standards with off-site storage to three different locations.

#### **2. Disaster Recovery and Emergency Mode Operations Plan**

- a. The Security Officer shall be responsible for implementing procedures to restore lost data from exact copies created and stored per Data Backup Plan.
- b. The IT Director or designee and Security Officer shall be responsible for putting into place procedures designed to ensure the continuing operations of those business processes that are critical to protecting the security of ePHI information during and immediately after a crisis.

## **17. SECURITY AWARENESS AND TRAINING:**

### **A. STATEMENT OF POLICY:**

To establish a security awareness and training program for all members of Agency's workforce, including management.

All workforce members shall receive appropriate training concerning Agency's security policies and procedures. Such training shall be provided prior to the effective date of the HIPAA Security Rule and on an ongoing basis to all new employees. Such training shall be repeated annually for all employees.

### **B. PROCEDURE:**

#### **1. Security Training Program**

- a. The Privacy Officer shall have responsibility for the development and delivery of initial security training. All workforce members shall receive such initial training addressing the requirements of the HIPAA Security Rule including the updates to HIPAA regulations found in the Health Information Technology for Economic and Clinical Health (HITECH) Act. Security training shall be provided to all new workforce members as part of the orientation process. Attendance and/or participation in such training shall be mandatory for all workforce members. The Security Officer shall be responsible for maintaining appropriate documentation of all training activities.
- b. The Privacy Officer shall have responsibility for the development and delivery of ongoing security training provided to workforce members annually and in response to environmental and operational changes impacting the security of ePHI, e.g., addition of new hardware or software, and increased threats. PHI will be secured at all times to ensure privacy with all applicable laws.

#### **2. Security Reminders**

- a. The Privacy Officer shall will train upon hire, annually and as needed for workforce members.
- b. The IT Director shall generate and distribute special notices to all workforce members providing urgent updates, such as new threats, hazards, vulnerabilities, and/or countermeasures.
- c. Protection from Malicious Software
  - i. As part of the aforementioned Security Training Program and Security Reminders, Privacy Officer shall provide training concerning the prevention, detection, containment, and eradication of malicious software. Such training shall include the following:

- a. Guidance on using extreme caution when opening email and suspicious e-mail attachments, e-mail from unfamiliar senders, and hoax e-mail,
  - b. The importance of updating anti-virus software and how to check a workstation or other device to determine if virus protection is current,
  - c. Instructions to never download files from unknown or suspicious sources,
  - d. Recognizing signs of a potential virus that could sneak past antivirus software or could arrive prior to an update to anti-virus software,
  - e. The importance of backing up critical data on a regular basis and storing the data in a safe place,
  - f. Damage caused by viruses and worms, and
  - g. What to do if a virus or worm is detected.
- d. Password Management
- i. As part of the aforementioned Security Training Program and Security Reminders, the Privacy Officer shall provide training concerning password management. Such training shall address the importance of confidential passwords in maintaining computer security, as well as the following requirements relating to passwords:
    - a. Passwords must be changed every 90 days.
    - b. A user cannot reuse the last 12 passwords.
    - c. Passwords must be at least eight characters and contain upper case letters, lower case letters, numbers, and special characters.
    - d. Commonly used words, names, initials, birthdays, or phone numbers should not be used as passwords.
    - e. A password must be promptly changed if it is suspected of being disclosed or known to have been disclosed.
    - f. Passwords must not be disclosed to other workforce members (including anyone claiming to need a password to “fix” a computer or handle an emergency situation) or individuals, including family members.
    - g. Passwords must not be written down, posted, or exposed in an insecure manner such as on a notepad, on the computer or posted on the workstation.
    - h. Employees should refuse all offers by software and/or Internet sites to automatically login the next time that they access those resources.
    - i. Any employee who is directed by the Security Officer and/or IT staff to change his/her password to conform to the aforementioned standards shall do so immediately.

## **18. SECURITY MANAGEMENT PROCESS:**

### **A. STATEMENT OF POLICY:**

To ensure Agency conducts an accurate and thorough assessment of the potential risks and vulnerabilities to the confidentiality, integrity, and availability of ePHI held by Agency.

Agency shall conduct an accurate and thorough risk analysis to serve as the basis for Agency's HIPAA Security Rule compliance efforts. Agency shall re-assess the security risks to its ePHI and evaluate the effectiveness of its security measures and safeguards as necessary in light of changes to business agencies and technological advancements.

### **B. PROCEDURE:**

The Security Officer and IT Director shall be responsible for coordinating Agency's risk analysis. The Security Officer shall identify appropriate persons within the organization to assist with the risk analysis.

The risk analysis shall proceed in the following manner:

1. Document Agency's current information systems.
  - a. Update information systems inventory annually and as new inventory is incorporated by the Agency. List information for all hardware (i.e., network devices, workstations, printers, scanners, and mobile devices) and software (i.e., operating system, various applications, interfaces) that includes: date acquired, location, vendor, licenses, and function.
  - b. Update/develop facility layout showing location of all information systems equipment, power sources, telephone jacks, and other telecommunications equipment, network access points, fire and burglary alarm equipment, and storage for hazardous materials
  - c. Identify and document threats to the confidentiality, integrity, and availability (referred to as "threat agents") of ePHI created, received, maintained, or transmitted by Agency. Consider the following:
    - i. Natural threats, e.g., earthquakes, storm damage.
    - ii. Environmental threats, e.g., fire and smoke damage, power outage, utility problems.
    - iii. Human threats
  - d. The Security Officer or IT will identify and document appropriate security measures and safeguards to address key vulnerabilities by reviewing the vulnerabilities identified in relation to the standards and implementation

specifications. The focus will be on those vulnerabilities with high risk scores, as well as specific security measures and safeguards required by the Security Rule.

- e. The Security Officer or appropriate person will develop and document an implementation strategy for critical security measures and safeguards.
  - i. Determine timeline for implementation.
  - ii. Determine costs of such measures and safeguards and secure funding.
  - iii. Assign responsibility for implementing specific measures and safeguards to appropriate person(s).
  - iv. Make necessary adjustments based on implementation experiences.
  - v. Document actual completion dates.
- i. The Security Officer or appropriate person will evaluate effectiveness of measures and safeguards following implementation and make appropriate adjustments.
2. The Security Officer shall be responsible for identifying appropriate times to conduct follow-up evaluations and coordinating such evaluations. The Security Officer shall identify appropriate persons within the organization to assist with such evaluations. Such evaluations shall be conducted upon the occurrence of one or more of the following events: changes in the HIPAA Security Regulations; new federal, state, or local laws or regulations affecting the security of ePHI; changes in technology, environmental processes, or business processes that may affect HIPAA Security policies or procedures; or the occurrence of a serious security incident. Follow-up evaluations shall include the following:
  - a. Inspections, reviews, interviews, and analysis to assess adequacy of administrative and physical safeguards. Such evaluation shall include interviews to assess employee compliance; after-hours walk-through inspections to assess physical security, password protection (i.e., not posted), and workstation sessions terminated (i.e., employees logged out); review of latest security policies and procedures for correctness and completeness; and inspection and analysis of training, incident, and media logs for compliance.

## **19. EMERGENCY OPERATIONS PROCEDURES:**

### **A. PURPOSE:**

To provide procedures for managing and documenting patient encounters when Electronic Health Record (EHR) and Agency Management (PM) systems are unavailable due to planned or unexpected outages.

### **B. DEFINITIONS:**

1. Electronic Health Record (EHR) – Electronic records of patient encounters in a healthcare delivery setting. An electronic health record typically consists of information including: patient demographics, progress notes, medication history, vital signs and laboratory results.
2. Agency Management (PM) – Agency Management System is usually a computer based system used to manage the day-to-day operations of a healthcare agency. Tasks typically performed by a PM system include: scheduling appointments, maintaining patient and insurance information, billing functions and generating various reports.

### **C. PROCEDURES:**

#### **1. Notification:**

CureMD and/or Information Technology staff will notify Agency Management as soon as practicable in the event of:

- a. planned downtime of EHR systems,
- b. unexpected outage of EHR systems, and
- c. Resumption of EHR services following an outage such that normal operations may resume.

#### **2. Scheduling:**

- a. If the EHR system is not operational or otherwise unavailable, the schedule printed the previous day is retrieved. The Medical Records Supervisor is tasked with maintaining a copy of this schedule or assigning this duty as appropriate.
- b. If phones are operational, patient appointments may not be made. The operator should ask for pertinent contact information and record a message using a paper telephone encounter form.

#### **3. Patient Encounters:**

- a. Telephone encounters should be entered onto the paper telephone encounter form and transferred to a nurse for triage.

- b. Paper versions of the EHR Provider Notes will be placed in paper folders and used as temporary charts. The Medical Records Supervisor will maintain current paper forms in a Chart Manual at all times.
  - c. Paper day-bills will be used to record patient encounter for billing/tracking purposes. Check-in staff should verify patient's name, date of birth, telephone number, home address, and insurance information as available on the paper; schedule and record all changes on the day-bill. The Fiscal Supervisor will be responsible for maintaining current paper day-bills, Encounter Forms, consents, and other paper forms needed for use by fiscal staff.
  - d. If the patient is a walk-in or new patient and demographic information is not available, paper registration forms will be filled out by check-in staff and placed in the temporary chart.
  - e. If co-pay information was available on the schedule, or if the patient has a co-pay amount listed on their insurance card, intake staff will collect as appropriate.
  - f. Once the intake process is complete, intake staff will place the folder with the Encounter Form in the appropriate provider's box.
  - g. The paper versions of the EHR will be used to record all information for the client visit to include: chief complaint/reason for visit; problems/needs; assessment/history; review of systems; progress notes; physical examination; provider orders; lab orders/results; and/or any other information collected during the client visit.
  - h. When the provider/nurse is finished with the client, the provider will complete the encounter form (diagnosis, charges, and desired return appointment date/time) and have the patient go to check-out.
  - i. Encounter forms and progress notes should be kept for loading into the EHR for when the EHR operational and normal operations resume.
4. System Restoration:

Patient encounters occurring during system downtime should be entered into the system via the following procedures:

- a. The chief complaint should be appended with “- downtime progress note attached.”
- b. Paper progress notes should be attached to electronic progress notes by scanning directly onto the progress note or the information entered into the EHR record with a notation of the delay in entering the information into the system.
- c. Billing/insurance information should be updated as necessary as the diagnosis and charges from the encounter form are entered.
- d. Immunizations will be entered into NCIR.
- e. Scheduling telephone calls should be returned. A telephone encounter does not need to be entered into the EHR.
- f. Telephone encounters for all other issues should be entered into the system and routed as appropriate.

5. Additional Functions:
  - a. The Medical Records Supervisor is responsible for maintaining an adequate stock of paper forms in anticipation of system downtime.
  - b. Faxes will be evaluated by a nurse for urgency of review by provider.
  - c. Items requiring review by a provider will be placed in the Provider Folder at the Nurses' Station.
  - d. All other phone/fax information will be scanned into the patient's record when the EHR system is operational and normal operations have resumed.



## 20. EMERGENCY ACCESS “BREAK the GLASS”

### A. POLICY SUMMARY:

The Agency has formal, documented emergency access procedure enabling authorized workforce members to obtain required EPHI during a medical emergency. The Agency has a formal, documented emergency access procedure enabling Agency workforce members to access the minimum EPHI necessary to effectively and efficiently treat patients in the event of a major medical emergency.

### B. PURPOSE:

This policy reflects Agency commitment to have emergency access procedure enabling authorized workforce members to obtain required EPHI during a medical emergency.

### C. DEFINITIONS:

1. Medical emergency means medically necessary care which is immediately needed to preserve life, prevent serious impairment to bodily functions, organs, or parts, or prevent placing the physical or mental health of the patient in serious jeopardy.
2. Electronic protected health information (EPHI) means individually identifiable health information that is:
  - a. Transmitted by electronic media
  - b. Maintained in electronic media
3. Electronic media means:
  - a. Electronic storage media including memory devices in computers (hard drives) and any removable/transportable digital memory medium, such as magnetic tape or disk, optical disk, or digital memory card; or
  - b. Transmission media used to exchange information already in electronic storage media. Transmission media include, for example, the internet, extranet (using internet technology to link a business with information accessible only to collaborating parties), leased lines, dial-up lines, private networks, and the physical movement of removable/transportable electronic storage media. Certain transmissions, including of paper, via facsimile, and of voice, via telephone, are not considered to be transmissions via electronic media, because the information being exchanged did not exist in electronic form before the transmission.
4. Information system means an interconnected set of information resources under the same direct management control that shares common functionality. A system normally includes hardware, software, information, data, applications, communications, and people.
5. Workforce member means employees, volunteers, and other persons whose conduct, in the performance of work for a covered entity, is under the direct control of such entity, whether or not they are paid by the covered entity. This includes full and part time employees, affiliates, associates, volunteers, and staff from third party entities who provide service to the covered entity.

D. POLICY:

1. The Agency has formal, documented emergency access procedures enabling authorized workforce members to obtain required EPHI during a medical emergency. The procedure includes:
  - a. Identifying and defining which Agency workforce members are authorized to access EPHI during an emergency.
  - b. Identifying and defining manual and automated methods to be used by authorized Agency workforce members to access EPHI during a medical emergency.
  - c. Identify and define appropriate logging and auditing that must occur when authorized Agency workforce members access EPHI during an emergency.
2. The Agency has a formal, documented emergency access procedure enabling Agency workforce members to access the minimum EPHI necessary to treat patients in the event of a medical emergency. Such access must be authorized by appropriate Agency management or designated personnel.
3. Regular training and awareness on the emergency access procedure is provided to all Agency workforce members.
4. All appropriate Agency workforce members have access to a current copy of the procedure and an appropriate number of current copies of the procedure should be kept off-site.

E. SCOPE/APPLICABILITY:

This policy is applicable to all divisions and workforce members that use or disclose electronic protected health information for any purposes. This policy's scope includes all electronic protected health information, as described in definitions below.

F. HIPPA SECURITY:

Regulatory Category: Technical Safeguards

Regulatory Type: REQUIRED Implementation Specification for Access Control Standard

Regulatory Reference: 45 CFR 164.312(a) (2) (ii)

Rule Language:

*“Establish (and implement as needed) procedures for obtaining necessary electronic protected health information (EPHI) during a medical emergency.”*

**Scenario**

***“Break the Glass” refers to the agency of enabling a licensed practitioner to view a patient’s medical record, or a portion thereof, under emergency circumstances, when that practitioner does not have the necessary system access privileges.***

G. POLICY AUTHORITY/ENFORCEMENT:

The Security Officer is responsible for monitoring and enforcement of this policy.

H. PROCEDURES:

Mechanism to Provide Emergency Access to EPHI:

- i. This process will bypass formal access procedures and is limited to medical emergencies.
- ii. The Medical Director, or Department Head<sup>31</sup> may make requests for emergency access in writing.
- iii. The request should contain:
  - a. The individual being granted the emergency access,
  - b. Job title
  - c. Reason for emergency access
  - d. Date and time granted access
  - e. The name of the individual granting access.
- iv. The Security Officer, or designated person, records information about emergency users and the emergency access rights assigned to them.
- v. The System Administrator and Security Officer have created 2 administrator accounts solely for the purpose of emergency access. These accounts should be obviously named, such as breakglass01 and breakglass02 to allow for easy tracking of actions. These accounts and passwords are stored <these accounts need to be located where it would be obvious if they have been used or are missing, as though they were in a fire alarm box which required the glass to be broken to pull the alarm. A location such as in a sealed envelope taped to the side of a monitor in a very conspicuous place such as the nurses' station. Or, they can be locked in an area and require two employees, such as department supervisor and/or Program Manager to access. There are a few EHR vendors who have "break glass" access available in their software, but that is not a common ability at this time.>
- vi. The emergency access will be tracked and documented based on capabilities of the EHR. The tracking documentation will be reviewed by the Security Officer to determine that emergency access was appropriate.
- vii. At the conclusion of the event that precipitated the granting of emergency access, the Security Officer ensures the break glass accounts are disabled, and new ones created in anticipation of the next emergency.
- viii. Any inappropriate use of emergency access will be treated as a security incident, and may subject an employee to disciplinary action, up to and including termination.
- ix. Documentation concerning emergency access will be retained and maintained for at least six years from the date of creation.

**Note:**

When using a specific user account that provides full access to all EPHI (an administrator account) consider the following:

- a) Creating an extremely complicated password (but one an employee will be able to enter while under the stress of an emergency situation).
- b) Securing the password.
- c) Periodically changing the password.

I. ENFORCEMENT:

Refer to Section 2 for details regarding disciplinary action against employees, contractors, or any individuals who violate this policy.

## 21. SANCTION POLICY:

### A. POLICY:

It is the policy of the Agency that all workforce members must protect the confidentiality, integrity, and availability of sensitive information at all times. The Agency will impose sanctions/disciplinary actions, as described below, on any individual who accesses, uses, or discloses sensitive information without proper authorization.

The Agency will take appropriate disciplinary action against employees, contractors, or any individuals who violate the Agency's information security and privacy policies or state, or federal confidentiality laws or regulations, including the Health Insurance Portability and Accountability Act of 1996 (HIPAA).

### B. PURPOSE:

To ensure that there are appropriate sanctions that will be applied to workforce members who violate the requirements of HIPAA, the Agency's security policies, directives, and/or any other state or federal regulatory requirements.

### C. DEFINITIONS:

1. Workforce member means employees, volunteers, and other persons whose conduct, in the performance of work for a covered entity, is under the direct control of such entity, whether or not they are paid by the covered entity. This includes full and part time employees, affiliates, associates, volunteers, and staff from third party entities who provide service to the covered entity.
2. Sensitive information, includes, but not limited to, the following:
  - a. Protected Health Information (PHI) – Individually identifiable health information that is in any form or media, whether electronic, paper, or oral.
  - b. Electronic Protected Health Information (ePHI) – PHI that is in electronic format.
  - c. Personnel files – Any information related to the hiring and/or employment of any individual who is or was employed by the Agency.
  - d. Payroll data – Any information related to the compensation of an individual during that individuals' employment with the Agency.
  - e. Financial/accounting records – Any records related to the accounting agencies or financial statements of the Agency.
  - f. Other information that is confidential – Any other information that is sensitive in nature or considered to be confidential.
3. Availability refers to data or information is accessible and useable upon demand by an authorized person.
4. Confidentiality refers to data or information is not made available or disclosed to unauthorized persons or processes.

5. Integrity refers to data or information that have not been altered or destroyed in an unauthorized manner.

D. VIOLATIONS:

Listed below are the types of violations that require sanctions to be applied. They are stated at levels 1, 2, and 3 depending on the seriousness of the violation.

1	<ul style="list-style-type: none"> <li>• Accessing information that you do not need to know to do your job.</li> <li>• Sharing computer access codes (user name &amp; password).</li> <li>• Leaving computer unattended while being able to access sensitive information.</li> <li>• Disclosing sensitive information with unauthorized persons.</li> <li>• Copying sensitive information without authorization.</li> <li>• Changing sensitive information without authorization.</li> <li>• Discussing sensitive information in a public area or in an area where the public could overhear the conversation.</li> <li>• Discussing sensitive information with an unauthorized person.</li> <li>• Failing/refusing to cooperate with the Information Security Officer, Privacy Officer, Chief Information Officer, and/or authorized designee.</li> </ul>
2	<ul style="list-style-type: none"> <li>• Second occurrence of any Level 1 offense (does not have to be the same offense).</li> <li>• Unauthorized use or disclosure of sensitive information.</li> <li>• Using another person's computer access code (user name &amp; password).</li> <li>• Failing/refusing to comply with a remediation resolution or recommendation.</li> </ul>
3	<ul style="list-style-type: none"> <li>• Third occurrence of any Level 1 offense (does not have to be the same offense).</li> <li>• Second occurrence of any Level 2 offense (does not have to be the same offense).</li> <li>• Obtaining sensitive information under false pretenses.</li> <li>• Using and/or disclosing sensitive information for commercial advantage, personal gain, or malicious harm.</li> </ul>

E. RECOMMENDED DISCIPLINARY ACTIONS:

In the event that a workforce member violates the Agency’s privacy and security policies and/or violates the Health Insurance Portability and Accountability Act of 1996 (HIPAA) or related state laws governing the protection of sensitive and patient identifiable information, the following recommended disciplinary actions will apply.

Violation Level	Recommended Disciplinary Action
1	<ul style="list-style-type: none"> <li>• Verbal or written reprimand</li> <li>• Retraining on privacy/security awareness</li> <li>• Retraining on the Agency’s privacy and security policies</li> </ul>

Violation Level	Recommended Disciplinary Action
	<ul style="list-style-type: none"> <li>• Retraining on the proper use of internal or required forms</li> </ul>
2	<ul style="list-style-type: none"> <li>• Written Warning and/or suspension</li> <li>• Retraining on privacy/security awareness</li> <li>• Retraining on the Agency’s privacy and security policies</li> <li>• Retraining on the proper use of internal or required forms</li> </ul>
3	<ul style="list-style-type: none"> <li>• Termination of employment or contract</li> <li>• Civil penalties as provided under HIPAA or other applicable Federal/State/Local law</li> <li>• Criminal penalties as provided under HIPAA or other applicable Federal/State/Local law</li> </ul>

**Important Note:** The recommended disciplinary actions are identified in order to provide guidance in policy enforcement and are not meant to be all-inclusive. If formal discipline is deemed necessary, the Health Director will consult with Human Resources prior to taking action. When appropriate, progressive disciplinary action steps shall be followed allowing the employee to correct the behavior which caused the disciplinary action.

**Exceptions**  
 Depending on the severity of the violation, any single act may result in disciplinary action up to and including termination of employment or contract with the Agency.

**References**  
 U.S. Department of Health and Human Services  
 Health Information Privacy. Retrieved April 24, 2009, from  
<http://www.hhs.gov/ocr/privacy/index.html>

F. RELATED POLICIES:

Information Security Policy

G. ACKNOWLEDGEMENT:

I, the undersigned employee or contractor, hereby acknowledges receipt of a copy of the Sanction Policy for Sampson County Health Department<sup>1</sup>.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

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

\_\_\_\_\_  
 Supervisor

**22. DISCOVERY POLICY: PRODUCTION AND DISCLOSURE:**

b) POLICY:

It is the policy of the Agency to produce and disclose relevant information and records in compliance with applicable laws, court procedures, and agreements made during the litigation process.

c) PURPOSE:

The purpose of this policy is to outline the steps in the production and disclosure process for health information and records related to e-discovery for pending litigation.

d) SCOPE:

This policy addresses e-discovery production and disclosure procedures related to the Federal Rules of Civil Procedures. Health information and records include both paper and electronic data related to relevant patient medical records and enterprise sources. The Health Director is responsible for the response to requests for disclosure of information.

e) PROCEDURE:

1. Accurate Patient Identification:

Responsible	Action
Admin Supervisor & Health Director	For litigation involving an individual’s medical records, verify the patient’s identity in the master patient index, including demographic information and identifiers including the medical record number. <i>[Note: When conducting searches, it is critical to accurately identify the correct patient and relevant information.]</i>
Admin Supervisor & Health Director	Note multiple medical record numbers, identifiers, aliases, etc., that will be used during the search process to find relevant information. Contact the County Attorney for further guidance. <b><u>No information will be released until reviewed by and under the direction of the County Attorney.</u></b>

2. Subpoena Receipt and Response:

Responsible	Action
County Attorney	Upon receipt, subpoenas should be reviewed to determine that all elements are contained, the parties and the purpose are clearly identified, and the scope of information requested is clear. <ul style="list-style-type: none"> <li>• Validate the served subpoenas before official acceptance. The validation process includes at a minimum:</li> <li>• Verification of appropriate service of the subpoena and that</li> </ul>



Responsible	Action
	<p>the organization is under legal obligation to comply with it, and</p> <ul style="list-style-type: none"> <li>• Verification that the seal and clerk of the court signature are present and valid</li> </ul> <p>Review of the venue and jurisdiction of the court for the case and verification that the court is located within legal distance/mileage requirements.</p> <p>If the subpoena requests “any and all records,” the Health Director and County Attorney will work together to clarify the scope and type of information being requested.</p> <p><b><u>No information will be reviewed or released except under the direction of the county attorney.</u></b></p>

**23. e-DISCOVERY POLICY: RETENTION:**

A. POLICY:

It is the policy of the Agency to maintain and retain electronic health information and records in compliance with applicable governmental and regulatory requirements. This organization will adhere to retention schedules and destruction procedures in compliance with regulatory, business, and legal requirements. Refer to Section 10.

B. PURPOSE:

The purpose of this policy is to achieve a complete and accurate accounting of all relevant records within the organization; to establish the conditions and time periods for which paper based and electronic health information and records will be stored, retained, and destroyed after they are no longer active for patient care or business purposes; and to ensure appropriate availability of inactive records.

C. SCOPE:

This policy applies to all enterprise health information and records whether the information is paper based or electronic. It applies to any health record, regardless of whether it is maintained by the Health Information Management Department or by the clinical or ancillary department that created it.

D. DEFINITIONS:

1. Data Owners: Each department or unit that maintains patient health records, either in electronic or paper form, is required to designate a records management coordinator who will ensure that records in his or her area are preserved, maintained, and retained in compliance with records management policies and retention schedules established by the Health Information Management Department [*or other designated authority*].
2. Property Rights: All enterprise health information and records generated and received are the property of the organization. No employee, by virtue of his or her position, has any personal or property right to such records even though he or she may have developed or compiled them.
3. Workforce Responsibility: All employees and agents are responsible for ensuring that enterprise health information and records are created, used, maintained, preserved, and destroyed in accordance with this policy.
4. Destruction of Electronic Health Information and Records: At the end of the designated retention period for each type of health information and record, it will be destroyed in accordance with the procedures in this policy unless a legal hold/preservation order exists or is anticipated.
5. Unauthorized Destruction: The unauthorized destruction, removal, alteration, or use of health information and records is prohibited. Persons who destroy, remove, alter or use health information and records in an unauthorized manner will be disciplined in accordance with the organization's Sanction Policy.

E. PROCEDURE:

Responsible	Action
Medical Records Supervisor	The Medical Records Supervisor is the designated records coordinator for the health department.
Medical Records Supervisor	The Medical Records Supervisor’s role is to authorize any changes to the Retention, Storage, and Destruction policies and procedures; review and approve retention schedules and revisions to current retention schedules; address compliance audit findings; and review and approve control forms relating to business records. Will ensure that electronic storage of enterprise health information and records is carried out in conjunction with archiving and retention policies.
Medical Records Supervisor And Staff	<p>Are responsible for the following:</p> <ul style="list-style-type: none"> <li>Review, maintain, publish, and distribute retention schedules and records management policies.</li> <li>Audit compliance with records management (both electronic and paper) policies and retention schedules and report findings to TAC Committee.</li> <li>Serve as point of contact for medical staff.</li> <li>Provide training for health department staff. Training will be provided on an individual basis to staff and any individual or department that needs assistance.</li> <li>Oversee operation of designated for archival storage of paper health information and records or serve as administrator for such services.</li> <li>Contract for destruction of paper and electronic records and certification thereof.</li> </ul>

<p>Medical Records Supervisors and Coordinators</p>	<p>Records coordinators are responsible for implementing and maintaining records management programs for their designated areas.                  They will organize and manage online records management control forms relating to records and information in their areas of responsibility to accomplish the following:                  Transfer records                  Identify, control, and maintain records                  Retrieve and/or return records                  Document the destruction of records and the deletion of records from the records inventory                  Monitor the records management process                  Medical Records Supervisor will obtain (if not already trained) and maintain records management skills.</p>
<p>County Attorney</p>	<p>The County Attorney serves as subject matter expert and provides counsel regarding records designations and legal and statutory requirements for records retention and pending legal matters.                  It ensures that access to or ownership of records is appropriately protected in all divestitures of property or lines of business or facility closures.</p>

F. GUIDELINES FOR RETENTION OF RECORDS/INFORMATION AND SCHEDULES:

<p>Record Retention</p>	<p>Unless otherwise stipulated, retention schedules apply to all records. Records will only be discarded when the maximum specified retention period has expired.</p>
<p>Development of Records Retention Schedules</p>	<p><u>Retention Schedule Determined by Law:</u> All records will be maintained and retained in accordance with Federal and state laws and regulations that includes the North Carolina Records Retention Laws &amp; Rules – refer to the SCHD Electronic Records and Imaging Policy. Electronic records must follow the same retention schedule as physical records, acknowledging the format and consolidated nature of records within an application or database.</p>

G. STORAGE AND DESTRUCTION GUIDELINES:

Records Destruction	General Rule: Records that have satisfied their legal, fiscal, administrative, and archival requirements may be destroyed in accordance with the Records Retention Schedules from the North Carolina Department of Archives and approved by the Board of Commissioners.
------------------------	---

## **24. BREACH NOTIFICATIONS PROCEDURES:**

### **A. PURPOSE:**

To outline the process for notifying affected individuals of a breach of protected information under the Privacy Act, unsecured protected health information (PHI) for the purposes of the Health Insurance Portability and Accountability Act of 1996 (HIPAA), Health Information Technology for Economic and Clinical Health Act (HITECH), and/or state breach notification purposes.

### **B. SCOPE:**

This applies to all employees, volunteers, and other individuals working under contractual agreements with the Agency.

### **C. DEFINITIONS:**

1. State Breach – Unauthorized acquisition or reasonable belief of unauthorized acquisition of Personal Information that compromises the security, confidentiality, or integrity of the Personal Information.
2. Personal Information – Personal Information has many definitions including definitions by statute which may vary from state to state. Most generally, Personal Information is a combination of data elements which could uniquely identify an individual. Please review applicable state data breach statutes to determine what definition of Personal Information is applicable for purposes of the document.
3. HIPAA Breach – Unauthorized acquisition, access, use, or disclosure of unsecured PHI.
4. Personally Identifiable Information (PII) – Information in any form that consists of a combination of an individual’s name and one or more of the following: Social Security Number, driver’s license or state ID, account numbers, credit card numbers, debit card numbers, personal code, security code, password, personal ID number, photograph, fingerprint, or other information which could be used to identify an individual.
5. Individually Identifiable Health Information (IIHI) – PII which includes information related to the past, present or future condition, treatment, payment or provision of health care to the identified individual.
6. Privacy Act Breach – Unauthorized acquisition or reasonable belief of unauthorized acquisition of personal information protected by the Privacy Act. This information includes, but is not limited to Social Security Number, government issued ID numbers, financial account numbers or other information posing a risk of identity theft.
7. Private Information – Information protected by the Privacy Act, Personally Identifiable Information, Personal Information and Protected Health Information collectively.
8. Protected Health Information (PHI) – Individually identifiable health information except for education records covered by FERPA and employment records.

D. PROCEDURE:

1. Reporting a Possible Breach
  - a. Any employee who becomes aware of a possible breach of privacy involving Private Information in the custody or control of the Agency will immediately inform their supervisor/manager, and the Privacy Officer.
  - b. Notification should occur immediately upon discovery of a possible breach or before the end of your shift if other duties interfere, however, in no case should notification occur later than twenty-four (24) hours after discovery.
  - c. . The supervisor/manager will verify the circumstances of the possible breach and inform the Privacy Officer and the division Administrator/Director within twenty-four (24) hours of the initial report.
  - d. You may call the Privacy Officer directly at 910-592-1131, ext. 4971.
    - i. Provide the Privacy Officer with as much detail as possible.
    - ii. Be responsive to requests for additional information from the Privacy Officer.
    - iii. Be aware that the Privacy Officer has an obligation to follow up on any reasonable belief that Private Information has been compromised.
  - e. The Privacy Officer, in conjunction with the Security Officer, will decide whether or not to take into consideration the seriousness and scope of the breach.
  
2. Containing the Breach:
  - a. The Privacy Officer will take the following steps to limit the scope and effect of the breach.
    - i. Work with department(s) to immediately contain the breach. Examples include, but are not limited to:
      - a. Stopping the unauthorized agency
      - b. Recovering the records, if possible
      - c. Shutting down the system that was breached
      - d. Mitigating the breach, if possible
      - e. Correcting weaknesses in security practices
      - f. Notifying the appropriate authorities including the local Police Department if the breach involves, or may involve, any criminal activity
  
3. Investigating and Evaluating the Risks Associated with the Breach
  - a. To determine what other steps are immediately necessary, the Privacy Officer in collaboration with the Security Officer and affected department(s) and administration, will investigate the circumstances of the breach.
  - b. The management team will review the results of the investigation to determine root cause(s), evaluate risks, and develop a resolution plan.
  - c. The Privacy Breach Assessment tool will help aid the investigation.
  - d. The Privacy Officer, in collaboration with the Security Officer, will consider several factors in determining whether to notify individuals affected by the breach including, but not limited to:
    - i. Contractual obligations

- ii. Legal obligations – the Agency’s Legal Counsel should complete a separate legal assessment of the potential breach and provide the results of the assessment to the Privacy Officer and the rest of the breach response team
- iii. Risk of identity theft or fraud because of the type of information lost such as social security number, banking information, identification numbers
- iv. Risk of physical harm if the loss puts an individual at risk of stalking or harassment
- v. Risk of hurt, humiliation, or damage to reputation when the information includes medical or disciplinary records
- vi. Number of individuals affected

4. Notification:

- a. The Privacy Officer will work with the department(s) involved, IT and the county attorney if necessary and appropriate leadership to decide the best approach for notification and to determine what may be required by law.
- b. If required by law, notification of individuals affected by the breach will occur as soon as possible following the breach.
  - i. Affected individuals must be notified without reasonable delay, but in no case later than sixty (60) calendar days after discovery, unless instructed otherwise by law enforcement or other applicable state or local laws.
  - ii. Notices must be in plain language and include basic information, including:
    - A. What happened
    - B. Types of PHI involved
    - C. Steps individuals should take
    - D. Steps covered entity is taking
    - E. Contact Information
  - iii. Notices should be sent by first-class mail or if individual agrees electronic mail. If insufficient or out-of-date contact information is available, then a substitute notice is required as specified below.
  - iv. If law enforcement authorities have been contacted, those authorities will assist in determining whether notification may be delayed in order not to impede a criminal investigation.
- c. The required elements of notification vary depending on the type of breach and which law is implicated. As a result, the Agency’s Privacy Officer and County Attorney should work closely to draft any notification that is distributed.
- d. Indirect notification such as website information, posted notices, media will generally occur only where direct notification could cause further harm, or contact information is lacking.
  - i. If a breach affects five-hundred (500) or more individuals, or contact information is insufficient, the Agency will notify a prominent media outlet that is appropriate for the size of the location with affected individuals, and notice will be provided in the form of a press release.



- e. Using multiple methods of notification in certain cases may be the most effective approach.
  - f. Business associates must notify the Agency if they incur or discover a breach of unsecured PHI.
    - i. Notices must be provided without reasonable delay and in no case later than sixty (60) days after discovery of the breach.
    - ii. Business associates must cooperate with the Agency in investigating and mitigating the breach
  - g. Notice to Health and Human Services (HHS) as required by HIPAA – If the County Attorney determines that HIPAA notification is not required; this notice is also not required.
    - i. Information regarding breaches involving five hundred (500) or more individuals, regardless of location, must be submitted to HHS at the same time that notices to individuals are issued.
    - ii. If a breach involves fewer than five hundred (500) individuals, the Agency will be required to keep track of all breaches and to notify HHS within sixty (60) days after the end of the calendar year.
- iii. Prevention:
- a. Once immediate steps are taken to mitigate the risks associated with the breach, the Privacy Officer will investigate the cause of the breach.
    - i. If necessary, this will include a security audit of physical, organizational, and technological measures.
    - ii. This may also include a review of any mitigating steps taken.
  - b. The Privacy Officer will assist the responsible department to put into effect adequate safeguards against further breaches.
  - c. Procedures will be reviewed and updated to reflect the lessons learned from the investigation and regularly thereafter.
  - d. The resulting plan will also include audit recommendations, if appropriate.

E. COMPLIANCE AND ENFORCEMENT:

All managers and supervisors are responsible for enforcing these procedures. Employees who violate these procedures are subject to discipline up to and including termination in accordance with the Agency's Sanction Policy.

F. ATTACHEMENTS:

Appendix E: Privacy Breach Assessment

G. RELATED POLICES:

Section 2: Sanction Policy

# **APPENDIX**

**Appendix A – Network Access Request Form**  
Employee or Contractor Request for Network Access

<b>EMPLOYEE/CONTRACTOR INFORMATION</b>																																																																																																	
<input type="checkbox"/> New Employee <input type="checkbox"/> New Contractor <input type="checkbox"/> Existing User <span style="float:right">Today's Date:</span> <input type="checkbox"/> Temporary <input type="checkbox"/> Business User																																																																																																	
First Name: _____ *MI: _____ Last Name: _____																																																																																																	
Position: _____	Department: _____ Supervisor: _____																																																																																																
<input type="checkbox"/> Full-time <input type="checkbox"/> Part-time <input type="checkbox"/> Contract <input type="checkbox"/> Business User	Start date or Requested due date: _____ Temporary/Business User or Contractor end date, if known: _____																																																																																																
<b>ID BADGE WITH BUILDING ACCESS:</b>																																																																																																	
<input type="checkbox"/> ID Badge  Access Requested for the following location(s):  <input type="checkbox"/> Medical Records Room <input type="checkbox"/> Cubicle/Admin <input type="checkbox"/> Pharmacy <input type="checkbox"/> Lobby <input type="checkbox"/> WIC Department <input type="checkbox"/> Other, <i>Specify</i> : _____  Additional Access Restriction: <input type="checkbox"/> After-Hours Access, <i>Specify Hours</i> : _____  Other Restrictions (be specific): _____																																																																																																	
<b>SECURITY &amp; EMAIL</b>																																																																																																	
New Account: <input type="checkbox"/> Network Access <input type="checkbox"/> Wireless Access <input type="checkbox"/> Email <input type="checkbox"/> Needs Auto access to Encrypted Email  <input type="checkbox"/> Permit access to the following network location(s): <table style="width:100%; border:none;"> <tr> <td style="width:15%;">T-Drive</td> <td style="width:15%;">Path</td> <td style="width:15%;">Access:</td> <td><input type="checkbox"/> Read-only</td> <td><input type="checkbox"/> Read/write</td> <td><input type="checkbox"/> Full Access</td> <td><input type="checkbox"/> Remove Access</td> </tr> <tr> <td>Drive</td> <td>Path</td> <td>Access:</td> <td><input type="checkbox"/> Read-only</td> <td><input type="checkbox"/> Read/write</td> <td><input type="checkbox"/> Full Access</td> <td><input type="checkbox"/> Remove Access</td> </tr> <tr> <td>Drive</td> <td>Path</td> <td>Access:</td> <td><input type="checkbox"/> Read-only</td> <td><input type="checkbox"/> Read/write</td> <td><input type="checkbox"/> Full Access</td> <td><input type="checkbox"/> Remove Access</td> </tr> </table> <input type="checkbox"/> Miscellaneous Needs ( <i>Enter any other requests</i> ): _____		T-Drive	Path	Access:	<input type="checkbox"/> Read-only	<input type="checkbox"/> Read/write	<input type="checkbox"/> Full Access	<input type="checkbox"/> Remove Access	Drive	Path	Access:	<input type="checkbox"/> Read-only	<input type="checkbox"/> Read/write	<input type="checkbox"/> Full Access	<input type="checkbox"/> Remove Access	Drive	Path	Access:	<input type="checkbox"/> Read-only	<input type="checkbox"/> Read/write	<input type="checkbox"/> Full Access	<input type="checkbox"/> Remove Access																																																																											
T-Drive	Path	Access:	<input type="checkbox"/> Read-only	<input type="checkbox"/> Read/write	<input type="checkbox"/> Full Access	<input type="checkbox"/> Remove Access																																																																																											
Drive	Path	Access:	<input type="checkbox"/> Read-only	<input type="checkbox"/> Read/write	<input type="checkbox"/> Full Access	<input type="checkbox"/> Remove Access																																																																																											
Drive	Path	Access:	<input type="checkbox"/> Read-only	<input type="checkbox"/> Read/write	<input type="checkbox"/> Full Access	<input type="checkbox"/> Remove Access																																																																																											
<b>EHR ACCESS</b>																																																																																																	
<input type="checkbox"/> EHR Account  Roles & Access: <table style="width:100%; border:none;"> <tr><td><input type="checkbox"/> Attending Physician</td><td>Access:</td><td><input type="checkbox"/> Read-only</td><td><input type="checkbox"/> Read/write</td><td><input type="checkbox"/> Full Access</td><td><input type="checkbox"/> Remove Access</td></tr> <tr><td><input type="checkbox"/> Health Educator</td><td>Access:</td><td><input type="checkbox"/> Read-only</td><td><input type="checkbox"/> Read/write</td><td><input type="checkbox"/> Full Access</td><td><input type="checkbox"/> Remove Access</td></tr> <tr><td><input type="checkbox"/> Hospital Nurse</td><td>Access:</td><td><input type="checkbox"/> Read-only</td><td><input type="checkbox"/> Read/write</td><td><input type="checkbox"/> Full Access</td><td><input type="checkbox"/> Remove Access</td></tr> <tr><td><input type="checkbox"/> Intake &amp; Eligibility</td><td>Access:</td><td><input type="checkbox"/> Read-only</td><td><input type="checkbox"/> Read/write</td><td><input type="checkbox"/> Full Access</td><td><input type="checkbox"/> Remove Access</td></tr> <tr><td><input type="checkbox"/> Lab Tech</td><td>Access:</td><td><input type="checkbox"/> Read-only</td><td><input type="checkbox"/> Read/write</td><td><input type="checkbox"/> Full Access</td><td><input type="checkbox"/> Remove Access</td></tr> <tr><td><input type="checkbox"/> Medical Assistant</td><td>Access:</td><td><input type="checkbox"/> Read-only</td><td><input type="checkbox"/> Read/write</td><td><input type="checkbox"/> Full Access</td><td><input type="checkbox"/> Remove Access</td></tr> <tr><td><input type="checkbox"/> Nurse</td><td>Access:</td><td><input type="checkbox"/> Read-only</td><td><input type="checkbox"/> Read/write</td><td><input type="checkbox"/> Full Access</td><td><input type="checkbox"/> Remove Access</td></tr> <tr><td><input type="checkbox"/> Nurse Practitioner</td><td>Access:</td><td><input type="checkbox"/> Read-only</td><td><input type="checkbox"/> Read/write</td><td><input type="checkbox"/> Full Access</td><td><input type="checkbox"/> Remove Access</td></tr> <tr><td><input type="checkbox"/> Nutritionist</td><td>Access:</td><td><input type="checkbox"/> Read-only</td><td><input type="checkbox"/> Read/write</td><td><input type="checkbox"/> Full Access</td><td><input type="checkbox"/> Remove Access</td></tr> <tr><td><input type="checkbox"/> Office Manager</td><td>Access:</td><td><input type="checkbox"/> Read-only</td><td><input type="checkbox"/> Read/write</td><td><input type="checkbox"/> Full Access</td><td><input type="checkbox"/> Remove Access</td></tr> <tr><td><input type="checkbox"/> Pharmacists</td><td>Access:</td><td><input type="checkbox"/> Read-only</td><td><input type="checkbox"/> Read/write</td><td><input type="checkbox"/> Full Access</td><td><input type="checkbox"/> Remove Access</td></tr> <tr><td><input type="checkbox"/> Physician</td><td>Access:</td><td><input type="checkbox"/> Read-only</td><td><input type="checkbox"/> Read/write</td><td><input type="checkbox"/> Full Access</td><td><input type="checkbox"/> Remove Access</td></tr> <tr><td><input type="checkbox"/> Reception</td><td>Access:</td><td><input type="checkbox"/> Read-only</td><td><input type="checkbox"/> Read/write</td><td><input type="checkbox"/> Full Access</td><td><input type="checkbox"/> Remove Access</td></tr> <tr><td><input type="checkbox"/> Security Administrator</td><td>Access:</td><td><input type="checkbox"/> Read-only</td><td><input type="checkbox"/> Read/write</td><td><input type="checkbox"/> Full Access</td><td><input type="checkbox"/> Remove Access</td></tr> <tr><td><input type="checkbox"/> Social Worker</td><td>Access:</td><td><input type="checkbox"/> Read-only</td><td><input type="checkbox"/> Read/write</td><td><input type="checkbox"/> Full Access</td><td><input type="checkbox"/> Remove Access</td></tr> <tr><td><input type="checkbox"/> Other: Specify</td><td>Access:</td><td><input type="checkbox"/> Read-only</td><td><input type="checkbox"/> Read/write</td><td><input type="checkbox"/> Full Access</td><td><input type="checkbox"/> Remove Access</td></tr> </table> <input type="checkbox"/> Miscellaneous Needs ( <i>Enter any other requests</i> ): <input type="checkbox"/> _____ Access: <input type="checkbox"/> Read-only <input type="checkbox"/> Read/write <input type="checkbox"/> Full Access <input type="checkbox"/> Remove Access <input type="checkbox"/> _____ Access: <input type="checkbox"/> Read-only <input type="checkbox"/> Read/write <input type="checkbox"/> Full Access <input type="checkbox"/> Remove Access		<input type="checkbox"/> Attending Physician	Access:	<input type="checkbox"/> Read-only	<input type="checkbox"/> Read/write	<input type="checkbox"/> Full Access	<input type="checkbox"/> Remove Access	<input type="checkbox"/> Health Educator	Access:	<input type="checkbox"/> Read-only	<input type="checkbox"/> Read/write	<input type="checkbox"/> Full Access	<input type="checkbox"/> Remove Access	<input type="checkbox"/> Hospital Nurse	Access:	<input type="checkbox"/> Read-only	<input type="checkbox"/> Read/write	<input type="checkbox"/> Full Access	<input type="checkbox"/> Remove Access	<input type="checkbox"/> Intake & Eligibility	Access:	<input type="checkbox"/> Read-only	<input type="checkbox"/> Read/write	<input type="checkbox"/> Full Access	<input type="checkbox"/> Remove Access	<input type="checkbox"/> Lab Tech	Access:	<input type="checkbox"/> Read-only	<input type="checkbox"/> Read/write	<input type="checkbox"/> Full Access	<input type="checkbox"/> Remove Access	<input type="checkbox"/> Medical Assistant	Access:	<input type="checkbox"/> Read-only	<input type="checkbox"/> Read/write	<input type="checkbox"/> Full Access	<input type="checkbox"/> Remove Access	<input type="checkbox"/> Nurse	Access:	<input type="checkbox"/> Read-only	<input type="checkbox"/> Read/write	<input type="checkbox"/> Full Access	<input type="checkbox"/> Remove Access	<input type="checkbox"/> Nurse Practitioner	Access:	<input type="checkbox"/> Read-only	<input type="checkbox"/> Read/write	<input type="checkbox"/> Full Access	<input type="checkbox"/> Remove Access	<input type="checkbox"/> Nutritionist	Access:	<input type="checkbox"/> Read-only	<input type="checkbox"/> Read/write	<input type="checkbox"/> Full Access	<input type="checkbox"/> Remove Access	<input type="checkbox"/> Office Manager	Access:	<input type="checkbox"/> Read-only	<input type="checkbox"/> Read/write	<input type="checkbox"/> Full Access	<input type="checkbox"/> Remove Access	<input type="checkbox"/> Pharmacists	Access:	<input type="checkbox"/> Read-only	<input type="checkbox"/> Read/write	<input type="checkbox"/> Full Access	<input type="checkbox"/> Remove Access	<input type="checkbox"/> Physician	Access:	<input type="checkbox"/> Read-only	<input type="checkbox"/> Read/write	<input type="checkbox"/> Full Access	<input type="checkbox"/> Remove Access	<input type="checkbox"/> Reception	Access:	<input type="checkbox"/> Read-only	<input type="checkbox"/> Read/write	<input type="checkbox"/> Full Access	<input type="checkbox"/> Remove Access	<input type="checkbox"/> Security Administrator	Access:	<input type="checkbox"/> Read-only	<input type="checkbox"/> Read/write	<input type="checkbox"/> Full Access	<input type="checkbox"/> Remove Access	<input type="checkbox"/> Social Worker	Access:	<input type="checkbox"/> Read-only	<input type="checkbox"/> Read/write	<input type="checkbox"/> Full Access	<input type="checkbox"/> Remove Access	<input type="checkbox"/> Other: Specify	Access:	<input type="checkbox"/> Read-only	<input type="checkbox"/> Read/write	<input type="checkbox"/> Full Access	<input type="checkbox"/> Remove Access
<input type="checkbox"/> Attending Physician	Access:	<input type="checkbox"/> Read-only	<input type="checkbox"/> Read/write	<input type="checkbox"/> Full Access	<input type="checkbox"/> Remove Access																																																																																												
<input type="checkbox"/> Health Educator	Access:	<input type="checkbox"/> Read-only	<input type="checkbox"/> Read/write	<input type="checkbox"/> Full Access	<input type="checkbox"/> Remove Access																																																																																												
<input type="checkbox"/> Hospital Nurse	Access:	<input type="checkbox"/> Read-only	<input type="checkbox"/> Read/write	<input type="checkbox"/> Full Access	<input type="checkbox"/> Remove Access																																																																																												
<input type="checkbox"/> Intake & Eligibility	Access:	<input type="checkbox"/> Read-only	<input type="checkbox"/> Read/write	<input type="checkbox"/> Full Access	<input type="checkbox"/> Remove Access																																																																																												
<input type="checkbox"/> Lab Tech	Access:	<input type="checkbox"/> Read-only	<input type="checkbox"/> Read/write	<input type="checkbox"/> Full Access	<input type="checkbox"/> Remove Access																																																																																												
<input type="checkbox"/> Medical Assistant	Access:	<input type="checkbox"/> Read-only	<input type="checkbox"/> Read/write	<input type="checkbox"/> Full Access	<input type="checkbox"/> Remove Access																																																																																												
<input type="checkbox"/> Nurse	Access:	<input type="checkbox"/> Read-only	<input type="checkbox"/> Read/write	<input type="checkbox"/> Full Access	<input type="checkbox"/> Remove Access																																																																																												
<input type="checkbox"/> Nurse Practitioner	Access:	<input type="checkbox"/> Read-only	<input type="checkbox"/> Read/write	<input type="checkbox"/> Full Access	<input type="checkbox"/> Remove Access																																																																																												
<input type="checkbox"/> Nutritionist	Access:	<input type="checkbox"/> Read-only	<input type="checkbox"/> Read/write	<input type="checkbox"/> Full Access	<input type="checkbox"/> Remove Access																																																																																												
<input type="checkbox"/> Office Manager	Access:	<input type="checkbox"/> Read-only	<input type="checkbox"/> Read/write	<input type="checkbox"/> Full Access	<input type="checkbox"/> Remove Access																																																																																												
<input type="checkbox"/> Pharmacists	Access:	<input type="checkbox"/> Read-only	<input type="checkbox"/> Read/write	<input type="checkbox"/> Full Access	<input type="checkbox"/> Remove Access																																																																																												
<input type="checkbox"/> Physician	Access:	<input type="checkbox"/> Read-only	<input type="checkbox"/> Read/write	<input type="checkbox"/> Full Access	<input type="checkbox"/> Remove Access																																																																																												
<input type="checkbox"/> Reception	Access:	<input type="checkbox"/> Read-only	<input type="checkbox"/> Read/write	<input type="checkbox"/> Full Access	<input type="checkbox"/> Remove Access																																																																																												
<input type="checkbox"/> Security Administrator	Access:	<input type="checkbox"/> Read-only	<input type="checkbox"/> Read/write	<input type="checkbox"/> Full Access	<input type="checkbox"/> Remove Access																																																																																												
<input type="checkbox"/> Social Worker	Access:	<input type="checkbox"/> Read-only	<input type="checkbox"/> Read/write	<input type="checkbox"/> Full Access	<input type="checkbox"/> Remove Access																																																																																												
<input type="checkbox"/> Other: Specify	Access:	<input type="checkbox"/> Read-only	<input type="checkbox"/> Read/write	<input type="checkbox"/> Full Access	<input type="checkbox"/> Remove Access																																																																																												

**HARDWARE & SOFTWARE**

Hardware:  
 Laptop  Desktop  Clinical Laptops  Clinical Desktop  Outreach travel Laptop  Screen protector  Dual monitors  
 Dymo Label Printer  Signature Pad  Scanner

Copier Access:  
 Admin Workroom: (Copy, Print, Scan)  Environmental Health (Scan, Print)  
 Mailroom Lanier  Medical Records  
 (Copy, Print (2-sided), Punch, Scan, Staple)  WIC

Printer Access:  
 Cubicle  Nurse's Station  Outreach Cubicle  Office Printer ( Staff Name: \_\_\_\_\_ )  
 WIC  Color

Software and Icons (I) access:  
 Adobe Acrobat  (Basic Purchased version)  Java (Version needed per software/Program)  
 Adobe Reader  MediTechi (Clinic)  
 BETS (EH) (I)  Microsoft Office Professional Plus Version \_\_\_\_\_  
 BB& T Bank-Credit Card (Fiscal)  MUNIS (Billing)  
 Chronicles (Diabetes RN; HE)  NCEEDS (I) (STD/CD RN, DON)  
 Citizen's Serve (EH) (I)  NC Tracks (CD-RN)  
 CMIS (Outreach)  NCIR (I)  
 Crossroads (WIC; Outreach) (I)  Paper Stream (for Scanning)  
 CSDW (Fiscal)  Scan Snap (for Scanning)  
 CureMD (All except EH) (I)  VRAS (Vital Rec) (I)  
 Email (Icon)  WIRM Portal (Acct Spec I; HD)  
 Facebook (HD & Hlth Educator Only)  
 Filezilla (Acct. Spec I/Acct. Tec II)  
 HAN-Health Alert Network(CD & PHPR)  
 Health Department SharePoints  
 InOut Board (Icon)  
 Internet Browsers:  
 FireFox  
 Google Chrome  
 Internet Explorer  
 Miscellaneous Needs (Enter any other requests):

**TELEPHONE**

Telephone:  Desk phone currently exist at location. Current extension is:

Accessories:  
 Wireless headset  Wired headset

**CELL PHONE / AIR CARD**

Cell phone with Hotspot access  MiFi

Accessories:  
 Car Charger  
 Miscellaneous Needs (Enter any other requests):

NAME	SIGNATURE	DATE
Department Head (Print Name)		
Security Officer / (Print Name) Appropriate Authority		

**Appendix B – Confidentiality Form**

**Sampson County Health Department  
Confidentiality Agreement**

I agree to hold confidential any and all information that I may gain by access to client clinical record.

I agree that I will only seek client information for the express purpose of providing services to or for clients.

I agree to hold confidential any and all information that I may gain by contact with any client or authorized representative of any client.

I agree to protect any and all client information from becoming public knowledge through any actions either written or verbally expressed by me.

I agree not to discuss any client information with others in private or in public, except as shared with another provider for the express purpose of providing services to or for the client.

I agree to limit documentation to factual data and only that which is appropriate for diagnosis, treatment and/or payment purposes.

I agree not to use any information gained by access to client information for any purpose other than the one for which I have a lawful and dutiful right.

I agree to remove all Protected Health Information (PHI) from any client information that may be used for research or other purposes before the client information is removed from the facility to ensure client confidentiality.

I understand that any unauthorized use or disclosure of information residing on the Agency information resource system may result in disciplinary action consistent with the policies and procedures of the Sampson County Health Department and other federal, state, and local agencies.

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Position/Department/Facility

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Appendix C – Approved Software

The following list has been approved for use by the Agency. All software must be installed and maintained by the appropriate Agency personnel.

**Inventory of Software for Health Department**

**December 2019**





<b>IT Program/Software</b>	<b>Department</b>	<b>Forman-Web based Program</b>	<b>Function</b>	<b>Training</b>	<b>Who Uses</b>	<b>NCID Required</b>
Adobe	All Departments			N/A	All Staff	N
Adobe Editors	Various	Computer		N/A	Mgmt. Team Health Ed. Cindi-Fiscal	
Avatar/HIS	Clinic Management Support	Web-Raleigh	Patient Mngt-Billing	State/HD Admin.	BCCCP Coordinator Mngt Spt Fiscal	Y
BETS	EH	Web-Raleigh	Data Entry	State Env. Hlth	EH Staff	Y
BB&T Bank-Credit Card	Billing	Web	Credit Card Payments	Finance Office	Billing Staff	N
Bright Futures	Clinical	Web	Forms for CH	Self	CH-Clinic	N
Chronicles	Diabetes	Web-Raleigh	Data Base Patient Info	Self-Trained	Diabetes Staff	N
Citizen Serve	EH	Web	Access Planning Dept.	Planning Staff	EH Staff	N
Crossroads	WIC/Outreach	Web-Raleigh	WIC Services	State	WIC Staff	Y
CureMD	Registration Fiscal Clinic	Web	Electronic Health Rec	Carolinas IT/Super Users	Registration Fiscal Clinic	N
Filezilla	Fiscal	Web	Batch Reporting	State	Acct. Specialist I Acct. Tech II	N
Firefox	All Departments as needed	Web	Internet Browser	Self	All Staff	N
Google Chrome	All Departments	Web	Internet Browser	Self	All Staff	N

IT Program/Software	Department	Forman-Web based Program	Function	Training	Who Uses	NCID Required
HAN-HealthAlertNetwork	CD-Prep	Web-Raleigh	Alert HD of outbreaks		PHPR Staff CD	
Internet Explorer	All Departments	Web	Internet Browser	Self	All Staff	N
Java	All Departments	Web	Support Platform different software	N/A	All Staff	N
MediTechi	Clinic	Web-SRMC	Patient Database	SRMC	Clinic Staff	N
Microsoft Office Prof	All Departments	Computer-based	Excel, Wor,Access, Publ.	Self-Trained	All Staff	N
WIC-Windows 10 PRO 64 BIT Lic.	WIC	Computer-based	Same as above	Self	All Staff	N
MUNIS	Billing	Web based	AR/AP through Finance	Self-Trained	Acct. Spec I Acct. Tech II	N
NC Tracks	Billing	Web-based	Medicaid Management	Online	Billing Staff WIC	Y
NC EDSS	CD	Web-Raleigh	Reporting CD	State Admin	CD Staff	Y
NC Lead	EH Child Health	Web-Raleigh	Reporting	State Admin	EH Supervisor CH	Y
NCID	All Departments	Web-Raleigh	Applications Gateway		All Staff	Y
Paper Stream	Management Support, Fiscal, Lab , WIC	Web	Scanning Platform software	N/A	Management Support Staff, Fiscal, Lab Staff and WIC staff	N
Scan	Management Support, Fiscal, Lab , WIC	Web	Scanning Platform software	N/A	Management Support Staff, Fiscal, Lab Staff and WIC staff	N

IT Program/Software	Department	Forman-Web based Program	Function	Training	Who Uses	NCID Required
Virtual Health	Outreach	Web	CCrC/OBCM	State	Outreach Staff	N
WIRM Portal	Fiscal	Web	State Funding Report	State Consultant	Acct. Spec. I Health Director Finance Officer	Y



Appendix D – Incident Response Tools

Tool	Attached Form/Worksheet	Description
Security Incident Report	 Security_Incident-Report-Confidential.doc	Security incident report utilized by the reporting employee or witness to an incident or potential incident.
Security Incident Investigation	 Security_Incident-Investigation-Confident	Security incident investigation report that that allows for further investigation of a potential incident upon receipt of the initial security incident report.
Security Incident Log	 Security_Incident-Log-Confidential.xls	Security incident log to ensure incidents are tracked for further analysis and follow-up.
Security Breach Assessment Tool	 Security_Incident-Breach Assessment-Cor	Privacy breach assessment tool which can assist in determining the severity of a breach.

Appendix E – County of Sampson Separation of Employee Checklist

**COUNTY OF SAMPSON  
SEPARATION OF EMPLOYEE CHECKLIST**

Employee: \_\_\_\_\_

Department: \_\_\_\_\_

**To Be Discussed with Employee Prior to Separation:**

- Continuation of insurance benefits
- Withdrawal or roll-over of retirement contributions
- 401 K and/or 456 termination
- Life Insurance policy continuation
- Payment of unused vacation leave; sick leave attributable to retirement system
- Status of tuition repayment, 401k loan, etc.
- Verify forwarding address for W-2 or final check

**Collect from Employee Prior to or On Separation Date:**

- |  |  |
|--|--|
| <input type="checkbox"/> Id Badge                            | <input type="checkbox"/> County uniforms                 |
| <input type="checkbox"/> Gas Card                            | <input type="checkbox"/> Cell phone and/or pager         |
| <input type="checkbox"/> Credit Card                         | <input type="checkbox"/> Mobile radio                    |
| <input type="checkbox"/> Keys (Bldg, Desk, Cabinet, Vehicle) | <input type="checkbox"/> Laptop Computer                 |
| <input type="checkbox"/> Final timesheet                     | <input type="checkbox"/> Passwords to computer/voicemail |

**Actions Taken After Employee Separation**

- |  |   |
|--|---|
| <input type="checkbox"/> Complete Personnel Action Form and return to Finance office: submit final timesheet | <input type="checkbox"/> Return keys to appropriate body, i.e. Public Works         |
| <input type="checkbox"/> Cancel applicable credit, gas card  | <input type="checkbox"/> Delete or reassign email address                           |
| <input type="checkbox"/> Delete ID badge from security system  | <input type="checkbox"/> Clean laptop/computer of employee's data; change passwords |
| <input type="checkbox"/> Cancel cell phone contract or reassign  |   |

Notes: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Reviewer: \_\_\_\_\_

Date: \_\_\_\_\_

Appendix F – Security Standards Matrix



**Appendix H  
Security Standards**

Appendix G – Part 164-Security and Privacy Rules



**Appendix I Part 164  
Security and Privacy**

**Information Security Policy  
 Annual/Review/Policy Update Review Form**

Manual: Information Security Manual	<u>Applicable Signatures/Title</u>
Title: Information Security Policy	Program Coordinator/Specialist: N/A
<input type="checkbox"/> Program Policy: N/A	Supervisor: N/A
<input type="checkbox"/> Program Procedure: N/A	Director of Nursing: N/A
<input checked="" type="checkbox"/> Management/Department-wide Policy	Medical Director: N/A
<input type="checkbox"/> Personnel/Fiscal Policy	Health Director: Wanda Robinson
Distributed to: All Staff	Board of Health Chair: Clark Wooten
	Effective Date: 12/30/19
	Supersedes: 02/01/18

Review/Revision Date: 12/30/19

\_\_\_\_\_  
 Board of Health/Chair

\_\_\_\_\_  
 Date

\_\_\_\_\_  
 Health Director

\_\_\_\_\_  
 Date

<b>Sampson County Health Department                      Information Security Policy Program Policy Review &amp;                      Revision Form</b>				
<b>Annual Review Date</b>	<b>Revision Date</b>	<b>Revision: Name, Location, Page # of Section w/ Revision(s)</b>	<b>Changes Made By</b>	<b>Date Staff Notified</b>
	04/25/2018	Change two (2) minutes to five (5) minutes on page 9	W. Robinson	
	04/25/2018	Change #4 Lock Screen from 2 minutes to 5 minutes on page 29	W. Robinson	
	04/25/2018	Add Appendix H: Security Standards Matrix	W. Robinson	
	04/25/2018	Add Appendix I: Part 164 Security and Privacy Rules	W. Robinson	
	04/25/2018	Updated Appendix A: Network Access Form	S. DeMay	
	07/06/2018	Removed: Employee Hiring and Termination Checklist. Replaced with Count of Sampson Separation of Employee Checklist page 83	S. DeMay	07/06/2018
12/30/19		Annual Review	W. Robinson and S. DeMay	

**HEALTH DEPARTMENT FEE REVISIONS FY 19-20**

LabCorp	CPT Code	Modifier	DESCRIPTIONS	CHARGES	DATE REVISIED	
Test Code						
028928	OL015	90	HepA	\$94.21	2/4/2020	need to add to fee schedule
138651	87529	90	HSV 1/2 PCN	\$387.50	3/10/2020	need to add to fee schedule
004317	84144	90	Progesterone	\$55.37	3/12/2020	need to add to fee schedule

**SCHD Advisory Committee Meeting Minutes  
January 27, 2020**

**Attendance:**

**Committee Members:** Dr. Jeffrey Bell, Dr. Elizabeth Bryan, Robert Butler, Dr. Cynthia Davis, Cassie Faircloth, Charlotte Harrell, Yire Hernandez, Jacqueline Howard, Chair, Allie Ray McCullen, Linda Peterson and Commissioner Harry Parker.

**Health Department Staff:** Wanda Robinson, Sally DeMay, Tamra Jones, Perry Solice, Kelly Parrish and Emily Spell

**Administration:** Edward Causey and Joel Starling

**Guest:** Jessica Byrd

**I. Call to Order:**

Jacqueline Howard, Chair called the meeting to order.

**II. Invocation:**

Commissioner Harry Parker gave invocation.

**III. Introduction of New Advisory Committee Members:**

Wanda Robinson welcomed everyone. New Advisory Committee members: Dr. Cynthia Davis, Yira Hernandez and Cassie Faircloth introduced themselves along with all other committee members and others present.

Sally DeMay administered the oath to the new members.

**IV. Election of Chair:**

Wanda Robinson opened floor for nominations for Chair. Dr. Jeffrey Bell nominated Jacqueline Howard; Dr. Elizabeth Bryan seconded. All in favor. Motion carried.

**V. Election of Vice-Chair:**

Jacqueline Howard, Chair opened floor for nominations for Vice-Chair. Linda Peterson nominated Robert Butler; seconded by Dr. Cynthia Davis. All in favor. Motion carried.

**VI. Approval of minutes:**

**a. November 18, 2019 minutes:** Motion made by Commissioner Harry Parker to accept the minutes as written; seconded by Dr. Jeffrey Bell. All in favor. Motion carried.

**VII. Dangerous Dog Discussion:**

**a. Dangerous Dog Designation:**

**b. Dangerous Dog Appeal Board Rules of Procedure:**

Joel Starling reviewed, (See handout attached). Notice of Appeal must be filed in writing within 3 business days. Notice of Hearing will allow the dog owner to request one continuance. Disqualification of Appeal Board Member covered. Oath our ordinance



requires that all evidence given in these hearings be given under oath. Customary for the Chair or Acting Chair to administer the oath.

Order of Hearing the owner speaks first, witness on his/her behalf, complainant and witness on his/her behalf, law enforcement officer and witness on his/her behalf. Each person speaking limited to five minutes of testimony. Time may be extended by the chair. Chair and Secretary will be conducting the hearing. Evidence at Hearing discussion regarding who needs to speak, if have witnessed something and there let them speak but limit to five minutes. The chair has ability to stop a witness if hearing the same information and ask if witness has any new testimony to give to board.

Deliberation is done in public in front of owners. Discussing regarding Affirm, Reverse or Modify the determination. Not able to modify if decision is to reverse the determination and find the dog not potentially dangerous. With this decision the board does not have jurisdiction to have oversight of the dog. Could modify if adding a condition over and beyond what the ordinance has in place.

Decision will be delivered to owner in writing.

Wanda Robinson stated she has ten days to hold the appeal hearing after being notified by the owner written request. Joel remarked the ten day is State Law. Wanda requested from Sgt. Jessica Byrd the paperwork with the date the owner is served, due this knowledge is needed during this process.

Issue was raised of speakers not removing their hat during testimony. Joel stated would be possible to add under section nine, that chair would discuss decorum with speakers prior to the beginning of testimony.

Question was raised about borderline decisions. Cannot require for owner to lock the dog up if finding not potentially dangerous. Once the board has made the determination that dog is not potentially dangerous, the matter goes back into Animal Control's once there is another call. Joel spoke that the Dangerous Dog Appeal Board is not charged with enforcing all the provisions of Animal Control ordinance. You are charged with, there has been a determination that a dog is potentially dangerous. Do you affirm, reverse or modify? Sgt. Jessica Byrd spoke, that the step down from a dangerous dog is a nuisance dog. To be a nuisance dog, you have to get a written warning, a first offence warning, first offence citation, second offence citation, third offence and anything subsequent thereafter is finally impounded. At this point, is when owner can appeal to the County Manager.

Motion was to recommend the Dangerous Dog Appeals Board Rules of Procedure with the modification of the statement regarding decorum to the Board of Commissioners made by Dr. Elizabeth Bryan, seconded by Robert Butler. All in Favor. Motion carried.

#### **VIII. Policies and Procedures Review:**

##### **a. Advisory Committee Operating Policy:**

Wanda Robinson reviewed the Operating Policy changes on page three under F. Meeting will be the third Monday at 6:30 pm. Motion made to accept the Operating Policy with changes made to date and time by Robert Butler, second by Commissioner

Harry Parker. All in favor. Motion carried. Policy will be presented to the County Commissioners for approval.

**b. Advisory Committee Conflict of Interest Policy:**

Wanda Robinson stated there not any changes made to the Conflict of Interest Policy that is reviewed and signed by members each year. Motion to accept the Conflict of Interest Policy made by Dr. Cynthia Davis, seconded by Dr. Jeffrey Bell. All in favor. Motion carried. Policy will be presented to County Commissioners for approval.

**c. SCHD-Child Advocacy Center-SRAHEC MOU:**

Joel Starting discussed the Memorandum of Understanding. The Child Advocacy Center (CAC) is a 501 C3 non- profit organization, that provides services for children who are victims of abuse. One of the services offered is medical examinations. Those medical examinations are done by Dr. Thomas-Taylor from AHEC. The CAC has rooms that will eventually be set up to perform the medical examinations. Currently, until CAC is ready the medical examinations are being performed at the health department. This document addresses the concerns of liability of a non-health department provider giving medical advice to a non-health department patient. MOU covers that health department provides supplies, CAC pays the provider, AHEC is required to carry insurance. AHEC and CAC has already approved document. Motion was made to accept MOU by Dr. Cynthia Davis, seconded by Charlotte Harrell. All in favor. Motion carried. MOU will be presented to County Commissioners for approval.

**d. HIPAA Policy:**

Wanda Robinson policy was emailed to all members with no changes. Wanda discussed the moving toward texting that will be included in the policy soon. Motion to accept the HIPAA Policy made by Linda Peterson, seconded by Robert Butler. All in favor. Motion carried. Policy will be presented to County Commissioners.

**e. LHD Services Policy:**

Tamra Jones presented the batching policy used for reporting our numbers from CureMD to State system. Changes made were correction of "PII" to "PHI" (Protected Health Information); Title Changes to Accounting Specialist II and Accounting Tech II; revision date and Board of Health Chair. Motion made to accept the LHD Services Policy by Commissioner Harry Parker; seconded by Dr. Jeffrey Bell. All in favor. Motion carried. Policy will be presented to County Commissioners.

**IX. Communicable Disease Report 2019:**

Emily Spell, STD Coordinator reported, Health Department Communicable Disease program involves several communicable disease sections, such as Rabies, Salmonella, TB, Vaccine Preventable diseases and STD's. Health Department has four nurses that are responsible for surveillance reporting, investigation and follow-up of Sampson County communicable diseases. They work with North Carolina Electronic Disease Surveillance System (NC-EDS) For monitoring and reporting of disease in Sampson County.

Emily reviewed the attached Communicable Disease Report for 2019 comparing to 2018 numbers. Hepatitis C cases dropped from 83 to 41 cases in 2019. 2018 started linking and

testing for Hepatitis C. Increase in 2019 of 4 cases of Cryptosporidium compared to 0 cases in 2018. 2019 shows an increase in Chlamydia and Gonorrhea over 2018.

Emily also reported, North Carolina is experiencing an increase in reported acute hepatitis C (HCV) cases as result of the current epidemic of opioid abuse. Between 2010 and 2015, number of acute cases reported had more than doubled. According to the CBC, the true incidence is likely 10 to 15 times higher than the incidence of reported cases.

Emily reported, Sampson County has been selected to be a participant in "North Carolina Hepatitis C: Test, Link, Cure (TLC)" that was launched by NC Department of Health and Human Services to combat the increasing Hepatitis C epidemic. The program's specific focus is Hepatitis C screening, testing, prevention, education, linkage to care and treatment. Through this program our county can provide free anti-HVC and HCV RNA testing through the state lab. In 2019, we tested approximately 22 patients, with 1 testing positive for Hepatitis C. Testing will continue with this program in our community.

**X. SOTCH Report 2019:**

Kelly Parrish presented the "State of the County Health Report 2019", beginning with background of the SOTCH compiled every four years and the "Community Health Needs Assessment (CHA)" compiled in between the SOTCH. CHA report is used to identify, collect and disseminate information of community assess, resources strengths and needs.

Sampson Regional Medical Center and Sampson County Health Department serve different roles in the health of the community. Therefore, each organization choose to focus on issues where they can best utilize their resources. Sampson Regional Medical Center chose Diabetes and Obesity, Exercise Nutrition and Weight as their priorities to address. Health Department identified Diabetes and Substance Abuse.

Sampson County joined the regional CHA process in mid-2019 thereby submitting the CHA in September 2019 and the Community Health Improvement Plans in December 2019. Therefore, the report on the progress of this health priority is gradually developing.

Kelly reviewed the SOTCH report, the Leading Causes of Death in Sampson County. Graphs compare how Sampson County measures up to the State levels. Jacqueline Howard remarked on the births and deaths graphs, with the teen births going down. Wanda Robinson commented on teen pregnancies are higher than state average, with goal being to have zero teen pregnancies. Wanda also stated Infant Mortality has also decreased but remains high for minorities and Latino populations. Jacqueline Howard commented the Diabetic rate is higher as well for all races and ages.

Question was asked how this report was shared with Sampson County residents. Wanda Robinson stated the report is posted on County Health Department website and report is taken to different groups. Health Educator, Sydney Smith takes the information out to various health fairs in the county.

**XI. Fiscal Report:**

**a. Monthly Activity Summary:**



**Cruz Dangerous Dog Appeal Hearing**  
**January 21, 2020**  
**6:30 pm**

**Attendance:**

**Board Members:** Dr. Elizabeth Bryan; Robert Butler; Jacqueline Howard, Chair; Allie Ray McCullen; Commissioner Harry Parker; Linda Peterson.

**County Employees:** Wanda Robinson, Joel Starling and Sally DeMay.

**Speakers:** Ronnie Turner; Brent Turner; Susie Avery; Carlos Cruz; Sgt. Jessica Byrd and Ray Draughon.

**I. Call to Order:**

Jacqueline Howard, Chair called hearing to order.

**II. Dangerous Dog Hearing:**

**a. Overview of Dangerous Dog Hearing Process:**

Ms. Howard reviewed Article 1A G.S. § 67-4.1. (See Attached.)

**b. Public Comment:**

Joel Starling gave and received affirmation to Ronnie Turner.

Mr. Ronnie Turner spoke this was not the first time this had happened. Mr. Turner spoke of knowing Susie for over 20+ years and never had any problems, is his neighbor and stays about 200 to 250 yards from him, his family land butts up to the property she rents. There is an open field.

Mr. Turner spoke the first time this happened was in September. His brother had his daughter's visitation and he had his three kids (10 year old twin girls and 7 year old son). They (Brent Turner, Ronnie Turner and their children) were all playing kickball outside in his backyard. Mr. Turner stated he walked to swing in his backyard and noticed the black dog coming across the field along the wood line, making his way around his property and got close enough that he could figure out whose dog it was. It close enough that he know it was a Pit Bull dog. He told Brent there was a Pit Bull dog. Brent asked whose dog was it. He told him it was the one that stayed at Susie's house, because he had seen it there before when riding by in their yard. Mr. Turner spoke that he knew the dog stayed inside in their residence. Mr. Turner spoke that the dog made its way around the property, came all the way to his backyard and chased them and his children. They all ran, Mr. Turner ran towards the dog to try to prevent anything from happening. The dog never gave up. The dog ran towards Mr. Turner, they were meeting head on. Mr. Turner started screaming and hollering and waving his arms and the dog finally stopped. Mr. Turner stated he finally got the dog to take off- he picked up a stick and threw the stick and the dog took off and went straight back to her house.

This last time when he called and made the report. His twin daughters; his brother's daughter and his son were riding bicycles in front of his house. Mr. Turner stated they were nowhere near their stuff. Mr. Turner stated they were right in front of their property. Mr. Turner stated he was standing outside in the front yard watching like he always does. Matter of fact, Brent was out there too, standing there talking. Mr. Turner stated he was

looking towards the kids and the dog was about 80 yards from the children. Mr. Turner stated he saw the dog come around their next door neighbor's house and run along the edge of the bushes. It was in stalk mode. The dog took off, jumped the ditch, run down the road. Mr. Turner stated he hollered and screamed for his kids and niece. Mr. Turner stated he could not get to the kids quick enough. He started running down the road and the kids started riding the bicycles as hard as they could down the road. The dog was right beside them trying to snatch his daughter off the bicycle. At that point, Mr. Turner contacted Susie and let her know. He called Animal Control. Mr. Turner stated that his kids are at his house and inside are terrified to go to the back door. They will not go outside unless an adult is with them. They are scared. Mr. Turner stated the dog had been on his backdoor step before when his kids were not there. Daughter asked for a puppy for Christmas, but Mr. Turner stated he did not think it was a good idea with all this going on. Mr. Turner stated he is very concerned about their safety. Mr. Turner remarked his child comes before a dog. His child's safety comes before a dog. His safety comes before a dog. Mr. Turner stated whatever it takes for him to have his kids safe and not have to go through something like that is going to happen.

Jacqueline Howard clarified that Mr. Turner was saying there were multiple times in the past that the dog has been on his property. Mr. Turner replied, that he did not call and report to Animal Control or Sheriff's Office, but he should have. Mr. Turner stated he did not call the first time, because he did not want issues. Stated there has been issues for years with her other daughter that stays on the other side. Their dogs got out of the pen and they came. Mr. Turner stated he knew this was not relevant to issue here tonight. But there were other issues with her other daughters dogs getting out of the pens and coming up and penning us in and his mom. His Mom is 73 years old and has health issues. And this happened with their other dogs on the other side. Not had an issue with them since Animal Control got involved with that. Except for one other time. He chose at that time, rather than to have hard feelings with your neighbors, you have to live beside your neighbors. Does not want hard feelings over this. Does not want to bury a child. The other time this happened was in December and he was scared.

Robert Butler questioned, "First occasion, you were in your back yard and the dog came off their property onto your property? What type of manner, are we talking running to play or growling." Mr. Turner replied, "Exactly. No, the dog was growling and in full blown sprint mode. Running to chase the kids."

Commissioner Harry Parker questioned, "You leave near the road?" Mr. Turner's response, "I stay about 150 foot off the highway." Mr. Turner explained they own the property between where they live and his yard. It's about 250 yards. So the dog has come all the way across their property onto the property they reside on to do this.

Commissioner Harry Parker questioned, "Whose property is near the road?" Mr. Turner replied, "Both of their residences are near the road." Commissioner Parker asked, "Have you ever seen that dog run cars when they come by?" Mr. Turner replied, "The dog stays inside. When they turn him out is." Commissioner Parker asked, "When a car comes by do they chase?" Mr. Turner answered, "He had not seen that dog chase a car." Mr. Turner remarked the only time he is very observant about things and his surroundings is when his children outside. When they are outside, he has to go out with them. For instance, this weekend this is another thing too. They had friends, girls are eleven years old and has

friends that come over. He had another families two daughters at his house this weekend. They begged him to go out while he was cooking lunch. He told then no, they could not. This was the other kid asking, not his kids. The first thing that one of his daughters told them was, no we can't go outside without Daddy or Uncle Brent because they got chased by a black dog and about got me on my bicycle. Commissioner Parker explained the reason he asked that questions, because some dogs have a tendency at times to chase vehicles and those are bicycles they are riding and dogs may chase. Mr. Turner stated, "This dog looked like a toilet brush. That dogs hair was bristled out and not a long haired dog either. I just barely go to my daughter, my niece and my son down the road at the time that I reported this incidence. When I tell you barely, I mean barely. It shook me up so bad, I did not know what to do. I got in touch with Susie about it. Again, it's not a hard feelings issue, it's a safety issue. As a parent, I have to provide every safe environment. I am actually contemplating having to put my son and daughter that it happened to in some kind of therapy, because it has just terrified them. They are scared to death."

Commissioner Parker asked the type of breed of the dog. Dog is a Pit Bull.

Mr. Turner stated, "Susie told me on the phone when I talked to her on the day I called Animal Control and I have no reason to make this up and I figure this is probably going to be an issue tonight. She knew I was upset. I was not mad, I was scared for my child, it was traumatizing. She told me on the phone, "I told them about that dog." Those were her exact words. I wished I had in text. She contacted me on Facebook messenger about it before I ever even talked with her. Whenever I got off the phone with Animal Control, she contacted me. She told me that Kendra saw it happen and that's why. If she didn't see it happen, how did she know to contact me? Someone up there saw that dog do that, because there was no way possible for her to just say Oh gosh, I feel like the dog might have done something wrong, let me call Ronnie right quick. "She told me, "I don't blame you for calling Animal Control. I don't blame you for calling the law." Mr. Turner stated, "Well, I've called the law already and waiting for them to call me back. I called 911 immediately after I got them safely back in the house. My niece and daughter squalling and all to pieces. Scared to death and my children were almost colorless they were so white and in fear. My son, terrified. If he had been 10 foot further away from me, I would have not gotten to him in time." Mr. Turner stated that "Susie told me on the phone, I've told them about that dog and I'm scared of that dog with this baby in the house." "And those were her exact words and I have no reason to lie about this and friendship is probably out the window now." Mr. Turner stated that "she sent me her phone number and starting talking on the phone about it and at that point is when that stuff was said."

Jacqueline Howard called Brent Turner to give testimony. Joel Starling gave and received affirmation to Brent Turner.

Mr. Brent Turner testimony: "My story is much like Ronnie's. This particular dog, around the beginning of September. We were doing our routine playing in the yard with the kids. The dog came from their property, crossed our property and once he got near our backyard he charged toward all the kids, chasing everybody. To see those kids running for their lives, scared, crying and traumatized. Not something fun to deal with. My daughter is 10 years old. All I ask of anybody, if you are going to have a pet like this, that's what I consider to be dangerous, to please be responsible and don't turn him out, lock him up or contain him

somehow. “None of the four of those kids, me or my brother should have to run from a vicious dog on our property.” “My daughter, nieces and nephew are terrified this day that happened.” “We didn’t forget about this instance, but we let it go. Like he said, I do not want any trouble with any of my neighbors.”

“In December the second incident with this particular dog, outside, had not forgotten about it. It had traumatized the kids, but a little time had passed and we felt maybe this won’t happen again. Back outside, riding bicycles routine recreation with the kids. The kids were riding the bikes on our own property. They were right in front of our residence. I didn’t see the dog at first, my brother said, there’s that pit bull. He said go, go and we took off running. There is another rental trailer beside Susie’s. The dog had came somewhere from Susie’s, had crossed that yard, crossed our property, jumped the ditch. Our kids were just far enough away. We heard them crying and squalling and pedaling those bicycles as fast and hard as they could. We got to those kids just in time. This dog probably got six foot from them trying to bite their legs, growling. He ran them down from that far away. My brother got there first, he hollered at the dog and the dog stood there and growled at him. Then reluctantly, turned around and started walking off.” This is not the only time the dog has been up there. My brother try to go out the back door and he’d be standing there growling. Does not report it every time, does not want to be aggravating or petty.” “My daughter, will ask to go outside, but I know in my mind she is not going to go by herself. She’ll say can you come with me. My own mother is scared to go outside.” “A dog jumping on her could knock her down and break something.”

Jacqueline Howard clarified with Mr. Brent Turner testified that the dog “Belle” has been on your property more than twice, although it has only been reported couple of times. Mr. Turner replied, “Right”. Ms. Howard continued to clarify testimony, that family members are afraid of the dog and afraid to come out on their own property because of that dogs repeated visits. Mr. Turner replied, “They are, my mother is, my daughter is, my nieces and nephew is.”

Jacqueline Howard called Susie Avery to come forward. Joel Starling administered the affirmation with Susie Avery.

Susie Avery testimony: “First of all, I do not understand why we were not contacted if my dog had been in their yard that many times. Not one soul has contacted us until December 30<sup>th</sup>. My daughter had left my home to go to her house, she lives right beside of them. On her way back, she called me and said; “Mama, I heard some youngin’s screaming and I saw Bella running down the road. “ Susie stated the kids had gone all the way to her neighbor’s driveway and that’s when “Bella” started chasing them. “My granddaughter is ten and she comes to my house a lot and rides the bicycle all around the yard all around Jamison’s yard and “Bella’s” right at her heels, chasing her. But “Bella” would not hurt a flea. We keep “Bella around my seven month grandbaby and she has never bite nobody. I’ve talked to my neighbors across the road, she has never acted like she was going to bite them. If I thought that dog would harm a youngin, I would not even have her. She is a puppy, only one and half year old.”

“When my daughter told me that, I messaged Ronnie on Facebook. I said, “Ronnie call me please.” “And Ronnie called me. This is my exact words; “I am really pissed off because I



know there is a leash law. And I know that the dog should not be out of our yard." "I am there all day long with my grandbaby in this wheelchair and let her out to go outside and sometimes I forget to let her back in, I'm not going to lie." "That day I had left her out to long I'm sure and that's when she went to chasing the kids."

"I have not been told not the first time, until December 30<sup>th</sup> that my dog has been bothering them. This all started a year and half ago, when my daughter when on vacation and she let somebody come to her house and watch her dogs. At the time she kept her dogs inside. Well this girl let my daughters dogs stay outside all night long. I think their Mama got mad and called Animal Control. This has been an ongoing thing ever since a year and half ago when they had trouble with my daughter's dogs. And now they are trying to have trouble with me and I've been living there six years. "

One of the Turner brothers said "Do you want to see the video?" Ms. Avery responded, "Why haven't you shown me a video Ronnie? Why haven't you contacted somebody?" Jacqueline Howard requested Ms. Avery to address the board and asked the Turner brothers to stop speaking out. Mrs. Howard stated concerned about "Bella" and addressed Ms. Avery's not understanding why he would not contact her. Ms. Howard stated, "In his statement, he said: He did not want to cause any difficulty in the community or in the relationships." Ms. Avery replied, "They should have picked up the phone and let me know my dog was going in their yard." "If my dog has been in their yard that many times, why haven't they contacted me?"

Dr. Elizabeth Bryan asked, "What keeps the dog from going to their yard?" Ms. Avery replied, "If she's left outside to long and that's my fault." Dr. Bryan asked, "She is not contained in anyway in your yard?" Ms. Avery replied, "No, none of the dogs on our road are contained." "Ronnie told me out of his own mouth on December 30<sup>th</sup>, that the dogs down the road, on the other side of my daughter, come into his yard and he sees their teeth. And he told me, to not let my grand youngins outside if those dogs were in our yard." "They go in my daughter's yard and go in Ronnie's yard. But nobody hadn't called the dog pound about them. Why? Because he is friends with them." "Fair is fair, every dog on our road is not on a leash. If they take my dog, they can take all theirs too." Robert Butler spoke, "Fact is, if we get another complaint about some more dogs, we will handle that at that time. This one is particularly for this case." Ms. Avery said, "When he reported my dog that evening, I told him, you do what you got to do. But I didn't know that gentlemen (points to Animal Control Officer) was going to show it at my door the next morning wanting the dog that bite the little girl down the road. My dog did not bite her. That's a lie on paper. Brent has not contacted me not the first time over my dog. That's a lie."

Jacqueline Howard spoke, "We're here for the Turner case. With the Turner case, it is about your dog, being unleashed and off your property onto their property, causing stress." Ms. Avery spoke, "The dog was not on their property. The dog was on the road. The dog chased the little girl down the road, on the incident on December 30<sup>th</sup>." Dr. Bryan asked, "But it was off your property?" Ms. Avery replied, "Yes, it ran through my yard onto the road."

Ms. Avery spoke, "When this gentlemen came to pick up "Bella", "Bella" went right to him. She didn't act like she was going to bite him. She has never acted like she was going to bite anyone. Like I told Ronnie, if it would have been my youngin I would have been upset too,

but I would not have the dog picked up. We already had it settled what we were going to do with her.”

Jacqueline Howard asked board if there were any more questions. Commissioner Harry Parker spoke, “You stated that it was your fault that you left the dog out too long.” Ms. Avery replied, “Pretty sure.” “When I’m taking care of a seven month old baby and I let her out, my mind slips sometimes.” Commissioner Parker asked, “Why do you not have her on a leash?” Ms. Avery replied, “I reckon like nobody else don’t.” Commissioner Parker, “No, I am talking about you, why don’t you have her on a leash?” Ms. Avery replied, “Because I am not able to get up and put her back on the leash. She stays inside.” Jacqueline Howard spoke, “But you can see where that would cause a recurring problem. If you are the one taking care of the dog during the day and like you say you have so much to do.” Ms. Avery spoke, “And like I said, we had already had that settled until he showed up to pick up “Bella” and bring her to the dog pound.” Commissioner Parker asked, “You had what settled?” Ms. Avery replied, “We had it settled on what we were going to do it. We were going to get an underground fence and they were going to let her outside in the morning and they were going to let her outside when they got home. That way none of this would happen again.” Commissioner Parker asked, “When did you decide that?” Ms. Avery, “After I talked to Ronnie that day.” Commissioner Parker asked, “You didn’t have a chance to get the underground fence in place?” Ms. Avery replied, “No. Nobody gave us a chance to do anything, they just came to get the dog. And she didn’t bite nobody or nothing, but on the paper it says she bite the child. She did not bite the child.” Comments from board it does not say that. Ms. Avery spoke, “On the paper that we received it says that she bite the child and that Brent Turner has contacted me numerous times over “Bella”. Dr. Elizabeth Bryan spoke, “That the testimony I understood tonight was that the dog just growled and chased.” Several board members agreed with Dr. Bryan’s statement. Ms. Avery spoke, “That when he came to pick up the dog that bite the little girl down the road. And I said she didn’t bite am I not right sir. Statement directed towards Mr. Ray Draughon, Animal Control. He responded, “I don’t recall saying that.” Mrs. Jacqueline Howard reading from the Sheriff Complaint report; “It says “highly aggressive manor, the dog showed the teeth. The dog was approaching the daughter. I do not see a bite.” Several board members agreed there was no bite report. Ms. Avery responded, “Okay.” Ms. Howard spoke, “I just want to make that clear for Mr. Turner, I do not see it in here that he said she bit his daughter or the child.” Ms. Avery replied, “That is what I was told when my dog was picked up.”

Commissioner Harry Parker spoke, “It seems this is not the only occasion that this dog has been let out and had forgotten to bring the dog back in. Has this happened on more than one occasion that you forgot to bring the dog back in?” Ms. Avery replied, “Nope.” Commissioner Parker spoke, “They stated on previous occasions that this had occurred with this dog with the children.” Ms. Avery replied with the same question of why they have not called me.

Mrs. Jacqueline Howard called Carlos Cruz to come forward. Joel Starling administered the affirmation with Mr. Cruz.

Mr. Carlos Cruz spoke, “I am here on the matter of “Belle” dangerous dog. I feel that she’s being accused of something that is not complete true.” Mr. Cruz stated he was not there, he was at work. Mr. Cruz said, “I got a phone from them, telling me that apparently they let

"Bella" out. Bella was outside and I guess she saw the kids on the bikes and guess she went on the road to go chase them. And did something. I really don't know." Mr. Cruz stated, "I came home to having a piece of paper on the door saying to get up with the Animal Control. I called her back and asked her what had happened and she explained that "Belle" had tried to bite the kids or something. I'm like okay. She said it has happened numerous times. But I've never heard, they've never. I've never known of "Belle" doing anything else, they haven't let Susie know, I guess or I didn't ever know it." Mr. Cruz spoke, "Belle is an inside dog, she is inside all the time around my daughter. She is seven months old. The only time she goes outside is to use the bathroom and that's really the only time she goes outside. Other than that she is inside with us. When she goes to sleep, we put her up in her kennel so she will not get the toys. Belle is a year and half, she not high, she's a real friendly dog. I have a seven month old and six year old that I get every other week. He's around "Belle" and gets on top of her and she just lays there like nothing, just looks at him, puts her head down and goes back to sleep."

Commissioner Harry Parker asked for clarification that Mr. Cruz did not see anything and what he said about the incident was here say from what they had told him happened. Mr. Cruz stated he did not see anything. Comments from board that information had already been discussed previously. Ms. Jacqueline Howard stated to Mr. Cruz, "You do understand that a dog's behavior with its family members and acquaintances are different that it is with other people." Mr. Cruz replied, "Yes, I understand." Question was asked if he was the owner. Mr. Cruz replied, "Yes. I take her to public places. I go to Tractor Supply. I've been to Big Blue. Lowes, I take her inside there and she walks around like nothing. She lets people pet her. It's not like I keep her away from people. I take her everywhere I go. I don't keep her from people. She is not really a dangerous dog."

Jacqueline Howard called for any questions from the board. Board did not have any questions for Mr. Cruz. Ms. Howard reviewed, "We have the statement and testimony given by the Turner's is consistent with the statement that has been addressed to the dog. It is clear that the dog has left the premises of the owner on several occasions." Ms. Howard thanked Mr. Cruz for his testimony.

Jacqueline Howard called Sgt. Jessica Byrd to come forward. Joel Starling administered the affirmation with Sgt. Byrd.

Sgt. Jessica Byrd spoke, "The friendship that she is talking about that I have with the Turner's, is that my mother and their mother has been friends forever and a day. The coincidence that I've responded to both calls, is simply that there are three officers that work this county. I am a very active one working Sergeant, so I respond to most calls. The reason I didn't in fact go, the day to pick up the dog, was because I was busy dealing with, what ended being a six hour search warrant. Is the only reason I didn't go myself to pick the dog up, instead of Corporal Draughon. Brent had contacted me the first incident, where the dog had come up in the backyard. His concern was, I don't want this to happen again. But he did several times say, I think instead of you going out there, because again there is history with the two different dog owners, but they are related and then the Turners." He said, "I think I am just going to speak to them." Sgt. Byrd continued, "I understand that maybe Ronnie had contacted one of them, to say that this happened, can you keep your dog over there."

Sgt. Byrd continued, "It was much more urgency the second incident, in which the dog was declared potentially dangerous. In speaking with both gentlemen, this is what I had to get, I said, did the dog in your opinion, did you feel like he was getting ready to attack? And they both said, if we had not stopped it, it would have been an attack.

Sgt. Byrd spoke, "My observations of the dog while it has been housed at the shelter, is that "Belle" has an extremely high prey drive. She is ninety percent of the time okay when you come up to her. You talk to her, she is friendly. Every time consistently, that I bring a dog by her and have a dog with me, she has a prey drive. Meaning that, from the second she sees the dog to the second it is out of sight she is barking and going crazy until the dog is out of sight. Then she returns to normal. When you have a dog, that has a strong prey drive, that is unchecked, that is the dog, like you said, that chases the car. The inevitability of it is, eventually it is going to catch a hold of its prey. The dog does not distinguish between a bicycle or a human. When it is a game to her, which is a danger to people, all her mind set is I want to go after and get this. That is my end goal.

Sgt. Byrd spoke of how an animal acts with their family, with people they are familiar with, is totally different when they are let loose on their own. Sgt. Byrd spoke, "That is the issue here. With any type of animal to be dangerous or potentially dangerous, a lot of times we hear in a hearing, I wish I had got a warning or I wish someone had told me. But when it is an incident that could have almost involved an attack or one that involves an attack, we do not have to give a second warning or second chance. The dog can be declared. That was the wish of Mr. Brent and Mr. Ronnie Turner."

Sgt. Byrd spoke of not being able to reenact how a dog interacts with a child because it is not feasibly safe. Sgt. Byrd reported, "The Shelter Director told her today, she says the dog acts different around children. I asked her why you say this. The shelter director has a child that is around the age of these children. I think she's about eleven or twelve. She says when her child walks by pen the dog goes crazy. When people says goes crazy, in our world that is not that they are happy, energetic. It is they are barking, growling and if they could get on the other side of that kennel. She is going to get her end goal, which is I think this is a good prey. I want to get it and tear it up. That is how she acted.

Sgt. Byrd continued, "I can tell you, dealing with the dog as an adult. She is friendly when it is you and her by yourself and you are talking with her. If I walk a dog by her, she goes bananas. The shelter director told me today, that when her child walked by there, the dog turned Jekyll and Hyde, totally different demeanor."

Commissioner Harry Parker asked Sgt. Byrd, "So that is your opinion?" Sgt. Byrd replied, "In observing her since we've had her impounded, yes. One on one, no problem. Anytime you bring something by her, she is switching and that would take some serious training by a professional trainer to get that worked out of her, when she is by herself. End of the day, if the dog had not left her property, I don't think she would have been observed doing this behavior. The dog has an unbelievable high prey drive and hers going unchecked is what lead to that incident happening twice.

Commissioner Harry Parker asked Sgt. Byrd, "So you are saying, when this dog is around children, it is a different dog?" Sgt. Byrd responded, "The shelter director and I have not

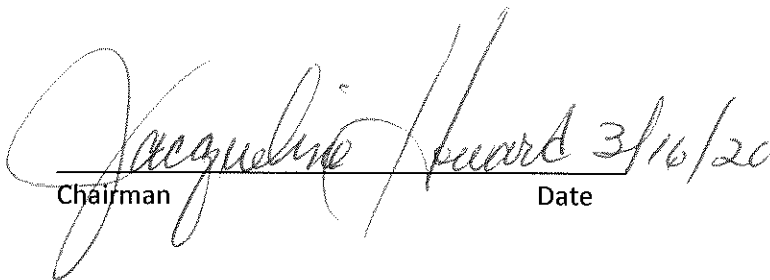
seen it. I have listened to them the day they filed the complaint the first time. The shelter director told me, "Jessica, that is the craziest thing seen, when my child walked by her cage, the dog went crazy." The child is child height, showing with hands about the child's height. Stg. Byrd continued, "Ray (the other animal control officer) can confirm this, the dog either had a negative experience with children or someone of a smaller size; or they have extremely strong prey drive. Prey drive that needs to be addressed by a professional trainer." Sgt. Byrd stated that Ray handled her if the board wanted his opinion.

The board called Corporal Ray Draughon to come forward. Joel Starling administered the affirmation with Corporal Draughon.

Corporal Draughon spoke, "I was asked by Sgt. Byrd to go pick the dog up that morning because she was doing a search warrant. I go up to door and knock and lady comes to it. Told her I was there to pick the dog up. To be honest with you, I had no problem with the dog. Gave me no problem putting it in the vehicle." Corporal Draughon spoke from past experiences, that he had investigated cases of dogs have attacked people riding bicycles. He stated, "Would that have happened in this case, I do not know, but it is very possible." Corporal Draughon spoke, "If it had been contained like it was supposed to be by law, in our county, it is supposed to be contained on its property and not leaving it." Robert Butler confirmed with Corporal Draughon that he had no issues and no growling. Corporal Draughon responded, "I didn't have any issues. But that is not uncommon for me, I do not show any fear to these dogs. Because these dogs can sense fear. If these children were screaming and trying to elude this dog. He was, without a shadow of doubt in my mind, was going after them."

Jacqueline Howard spoke, "Now that we have heard all the testimonies and all our questions have been answered. Is the board was ready for a determination to declare the dog dangerous or not." Ms. Howard asked for a show of hands from the board. Show of hands was unanimous from the board. Ms. Howard spoke, "Let the record show, that appeals committee has voted and the dog has been declared dangerous, owner, Carlos Cruz's dog "Bella".

Meeting adjourned.

  
Chairman \_\_\_\_\_ Date 3/16/20

3/16/20 Wanda Beland  
Secretary \_\_\_\_\_ Date

**PUBLIC COMMENT POLICIES AND PROCEDURES**  
**Revised June, 2018**

In accordance with NCGS 153A-52.1, a period reserved for comments from the public on topics not otherwise included on that evening's agenda will be included as an item of business on all agendas of regularly-scheduled Board of Commissioners meetings and shall be deemed the "Public Comment" segment of the agenda. The Public Comment segment of the agenda will be placed at the end of the agenda, following the conclusion of all other open session business. Because subjects of Special and Emergency Meetings are often regulated by General Statutes, there will be no Public Comments segment reserved on agendas of these meetings; however, Special and Emergency Meetings are open for public attendance.

As with public hearings, the Chair (or presiding officer) will determine and announce limits on speakers at the start of the Public Comment period. Each speaker will be allocated no more than five (5) minutes. The Chairman (or presiding officer) may, at their discretion, decrease this time allocation if the number of persons wishing to speak would unduly prolong the meeting. A staff member will be designated as official timekeeper, and the timekeeper will inform the speaker when they have one minute remaining of their allotted time. When the allotted time is exhausted, the speaker will conclude their remarks promptly and leave the lectern. Speakers may not yield their time to another speaker, and they may not sign up to speak more than once during the same Public Comment period.

An individual wishing to address the Board during the Public Comment period shall register with the Clerk/Deputy Clerk to the Board prior to the opening of the meeting by signing his or her name, and providing an address and short description of his or her topic on a sign-up sheet stationed at the entrance of the meeting room. Any related documents, printed comments, or materials the speaker wishes distributed to the Commissioners shall be delivered to the Clerk/Deputy Clerk in sufficient amounts (10 copies) at least fifteen minutes prior to the start of the meeting. Speakers will be acknowledged to speak in the order in which their names appear on the sign-up sheet. Speakers will address the Commissioners from the lectern, not from the audience, and begin their remarks by stating their name and address.

**To ensure the safety of board members, staff and meeting attendees, speakers are not allowed to approach the Board on the seating platform, unless invited by the Board to approach.**

Speakers who require accommodation for a disabling condition should contact the office of the County Clerk or County Manager not less than twenty-four (24) hours prior to the meeting.

If time allows, those who fail to register before the meeting may be allowed speak during the Public Comment period. These individuals will be offered the opportunity to speak following those who registered in advance. At this time in the agenda, an individual should raise his or her hand and ask to be recognized by the Board Chair (or presiding officer) and then state his or her name, address and introduce the topic to be addressed.

A total of thirty (30) minutes shall be set aside for public comment. At the end of this time, those who signed up to speak but have not yet been recognized may be requested to hold their comments until the next meeting's public comment period, at which time they will be given priority for expression. Alternatively, the Board, in its discretion, may extend the time allotted for public comment.

Items of discussion during the Public Comment segment of the meeting will be only those appropriate to Open Meetings. Closed Meeting topics include, but are not limited to, such subjects as personnel, acquisition of real property, and information protected by the client-attorney privilege. Closed Meeting subjects will not be entertained. Speakers will not discuss matters regarding the candidacy of any person seeking public office, including the candidacy of the person addressing the Board.

Speakers will be courteous in their language and presentation, shall not use profanity or racial slurs and shall not engage in personal attacks that by irrelevance, duration or tone may threaten or perceive to threaten the orderly and fair progress of the discussion. Failure to abide by this requirement may result in forfeiture of the speaker's right to speak.

The Public Comments segment of the agenda is intended to provide a forum for the Board of Community to listen to citizens; there shall be no expectation that the Board will answer impromptu questions. However, Board members, through the presiding officer, may ask the speaker questions for clarification purposes. Any action on items brought up during the Public Comment period will be at the discretion of the Board. When appropriate, items will be referred to the Manager or the proper Department Head for further review.

A copy of the Public Comments Policy will be included in the agenda of each regular meeting agenda and will be made available at the speaker registration table. The policy is also available on the County's website.