

BOARD INFORMATION PACKET



**Board of Public Utilities
Kansas City, Kansas**

Regular Meeting of

November 1, 2023



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November 1, 2023

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Board of Public Utilities
Kansas City, Kansas

BOARD AGENDA

Regular Session
November 1, 2023 – 6:00 P.M.

- I. Call to Order
- II. Roll Call
 - _____ Robert L. Milan, Sr., District 1
 - _____ Rose Mulvany Henry, At Large, Position 3
 - _____ Jeff Bryant, District 3
 - _____ Mary L. Gonzales, At Large, Position 1
 - _____ Tom Groneman, District 2
 - _____ David Haley, At Large, Position 2
- III. Approval of Agenda
- IV. Approval of the Minutes of the Work Session of October 18, 2023
- V. Approval of the Minutes of the Regular Session of October 18, 2023
- VI. Public Comments
- VII. General Manager / Staff Reports
 - i. 2023 3rd Quarter Financials
 - ii. Water Projects Update
 - iii. 2023 Summer Internships
 - iv. Miscellaneous Comments
- VIII. Board Comments
- IX. Adjourn

WORK SESSION MINUTES – WEDNESDAY, OCTOBER 18, 2023

STATE OF KANSAS)
) SS
CITY OF KANSAS CITY)

The Board of Public Utilities of Kansas City, Kansas (aka BPU, We, Us, Our) met in Work Session on Wednesday, October 18, 2023 at 5:00 PM. The following Board Members were present: Rose Mulvany Henry, President; Thomas Groneman, Vice President; Jeff Bryant and David Haley. Robert L. Milan, Secretary (connected via Zoom but unable to participate), and Mary Gonzales were absent.

Also present: William Johnson, General Manager; Angela Lawson, Acting Chief Counsel; Lori Austin, Chief Financial Officer/Chief Administrative Officer; Jeremy Ash, Chief Operating Officer; Johnetta Hinson, Executive Director Customer Service; Steve Green, Executive Director Water Operations; Dennis Dumovich, Director of Human Resources; Dustin Miller, Director of Applications; Ashley Culp, HR Manager; Karen Johnson Phillips, HR Spec-Employee Relations; and Rick Hardman, IT Project Manager.

A video of this meeting is on file at the Board of Public Utilities and can be found on the BPU website, www.bpu.com.

Ms. Mulvany Henry called the meeting to order at 5:05 PM.

Roll call was taken. All Members were present, except for Mr. Milan (who was connected via Zoom but unable to participate) and Ms. Gonzales.

Item #3 –Approval of Agenda

A motion was made to approve the Agenda by Mr. Bryant, seconded by Mr. Groneman, and unanimously carried.

Ms. Mulvany Henry moved to amended the Agenda to postpone the Board Procedures Policy discussion to a future Work Session. A motion was made to approve the amended Agenda by Mr. Bryant, seconded by Mr. Groneman and unanimously carried.

Item #4 –Board Update/GM Update

No comments were made.

Item #5 – 2024 Budget Update- Staffing Proposal

Mr. Dennis Dumovich, Director of Human Resources, and Ms. Ashley Culp, HR Manager, presented the 2024 Budget Update- Staffing Proposal to the Board. They reviewed

WORK SESSION MINUTES – WEDNESDAY, OCTOBER 18, 2023

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current and proposed staffing numbers as well as the results of a benchmark study that compared BPU’s staffing levels to similar public owned utilities. (See attached PowerPoint.)

Mr. Dumovich, Ms. Culp and Mr. Johnson responded to questions and comments from the Board.

Item #6 – Adjourn

A motion was made to adjourn the Work Session at 5:51 PM by Mr. Bryan, seconded by Mr. Groneman and unanimously carried.

ATTEST:

APPROVED:

Secretary

President



2024 Staffing Authorization and Statistics

Board Work Session
October 18, 2022



Work Session Presentation Overview

- How does BPU Compare? - 2022 Benchmark Study
- 2024 Proposed Staffing
- Approved Positions with Headcount
- Vacancies and Personnel Requisitions
- Historical Review of Overtime
- Retirement Data
- Employment Trends
- Age and Length of Service Statistics



2022 BENCHMARK SURVEY RESULTS



Benchmark Survey Participants

- **City of Utilities of Springfield (CU)/Springfield, MO**
 - Miles of T&D Lines = 2,047
 - Miles of Water Distribution Lines = 1,209
 - # of Water Customers = 84,293/# of Electric Customers = 118,892
- **Independence Power and Light (IPL)/Independence, MO**
 - Miles of T&D Lines = 870
 - Miles of Water Distribution Lines = 766
 - # of Water Customers = 49,274/# of Electric Customers = 59,442
- **Rochester Public Utilities (RPU)/Rochester, MN**
 - Miles of T&D Lines = 880
 - Miles of Water Distribution Lines = 613
 - # of Water Customers = 41,300/# of Electric Customers = 58,182



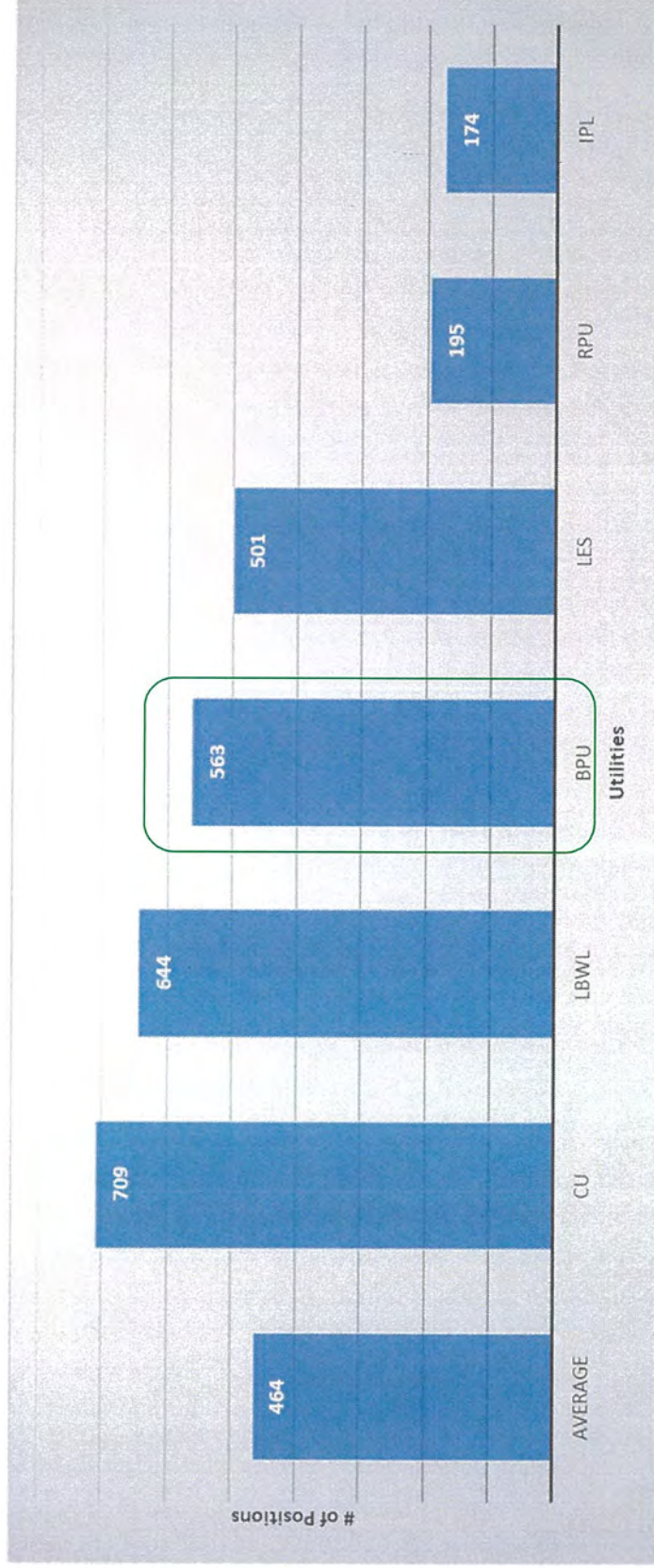
Benchmark Survey Participants (cont.)

- Lansing Board of Water and Light (LBWL)/Lansing, MI
 - Miles of T&D Lines = 3,062
 - Miles of Water Distribution Lines = 809
 - # of Water Customers = 59,386/# of Electric Customers = 99,885
- Lincoln Electric System (LES)/Lincoln, NE
 - Miles of T&D Lines = 2,363
 - Miles of Water Distribution Lines = N/A
 - # of Water Customers = N/A/# of Electric Customers = 145,834
- Kansas City Board of Public Utilities (BPU)
 - Miles of T&D Lines = 2,847
 - Miles of Water Distribution Lines = 966
 - # of Water Customers = 53,000/# of Electric Customers = 65,000

* Comparators are not perfect, but they do represent Midwest utilities that have both water and power divisions, are municipal utilities, and represented by unions

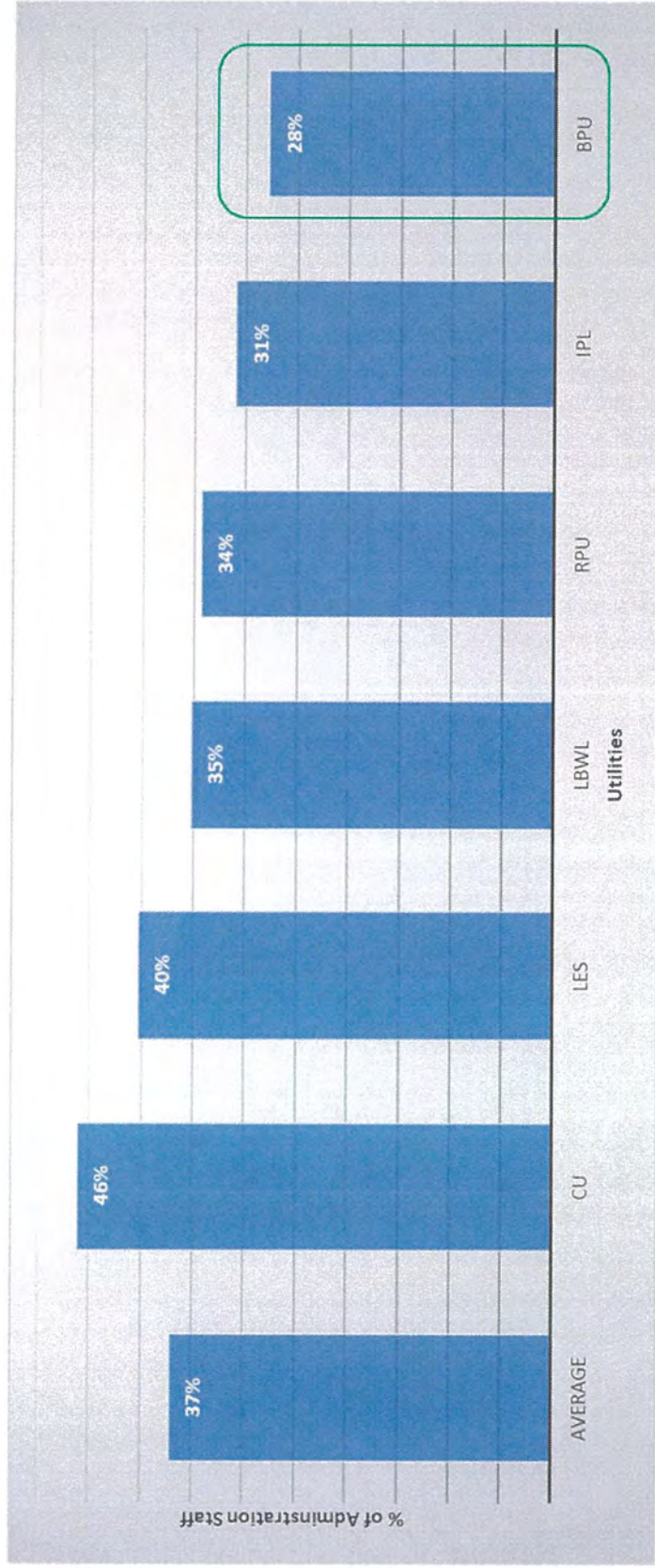


2022 Full Time Positions

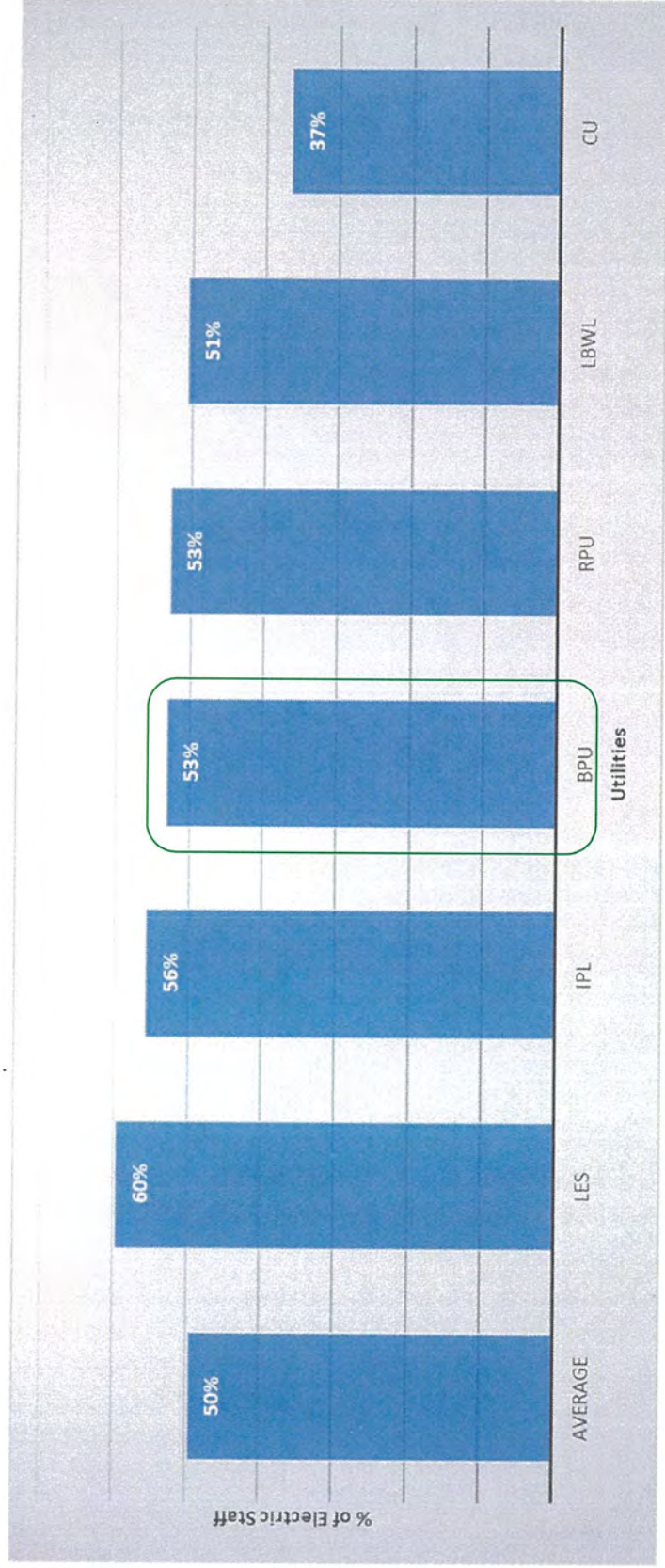




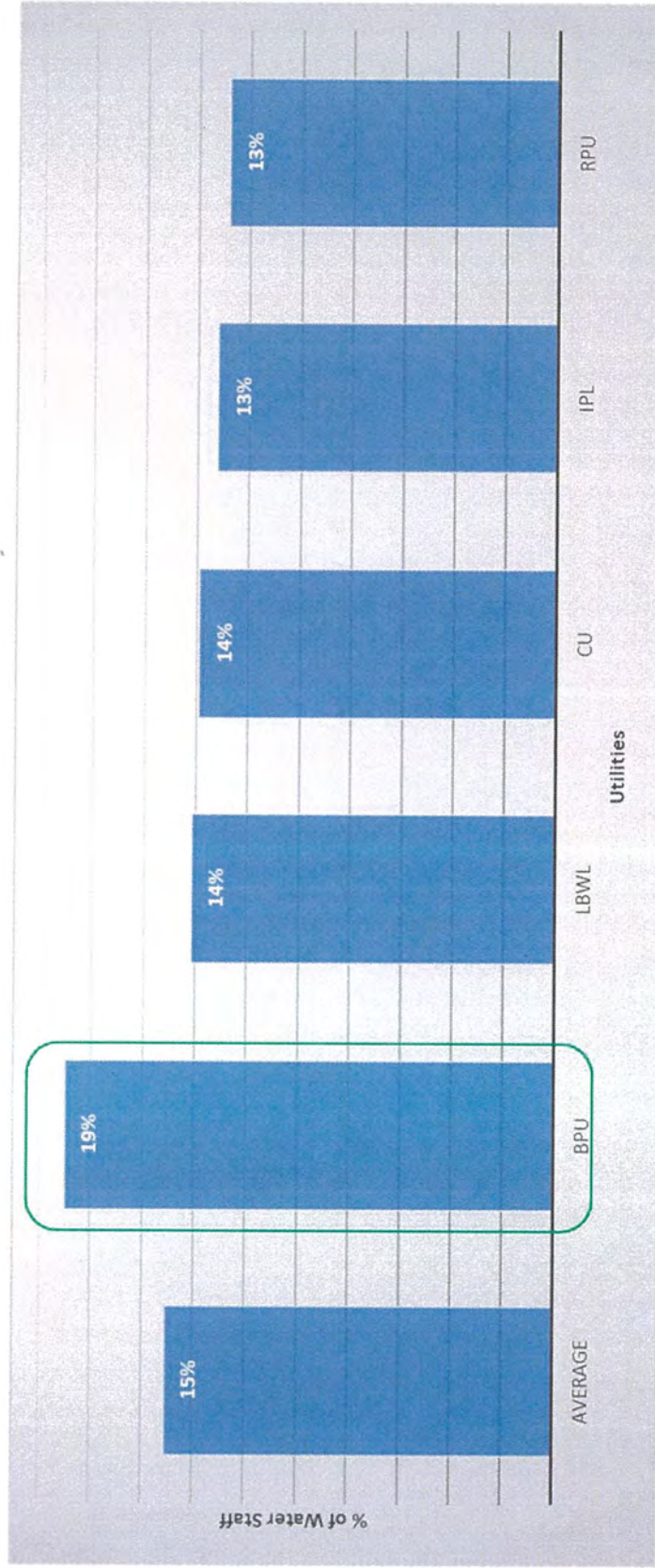
2022 Administrative Support Staff



2022 Electric Staff

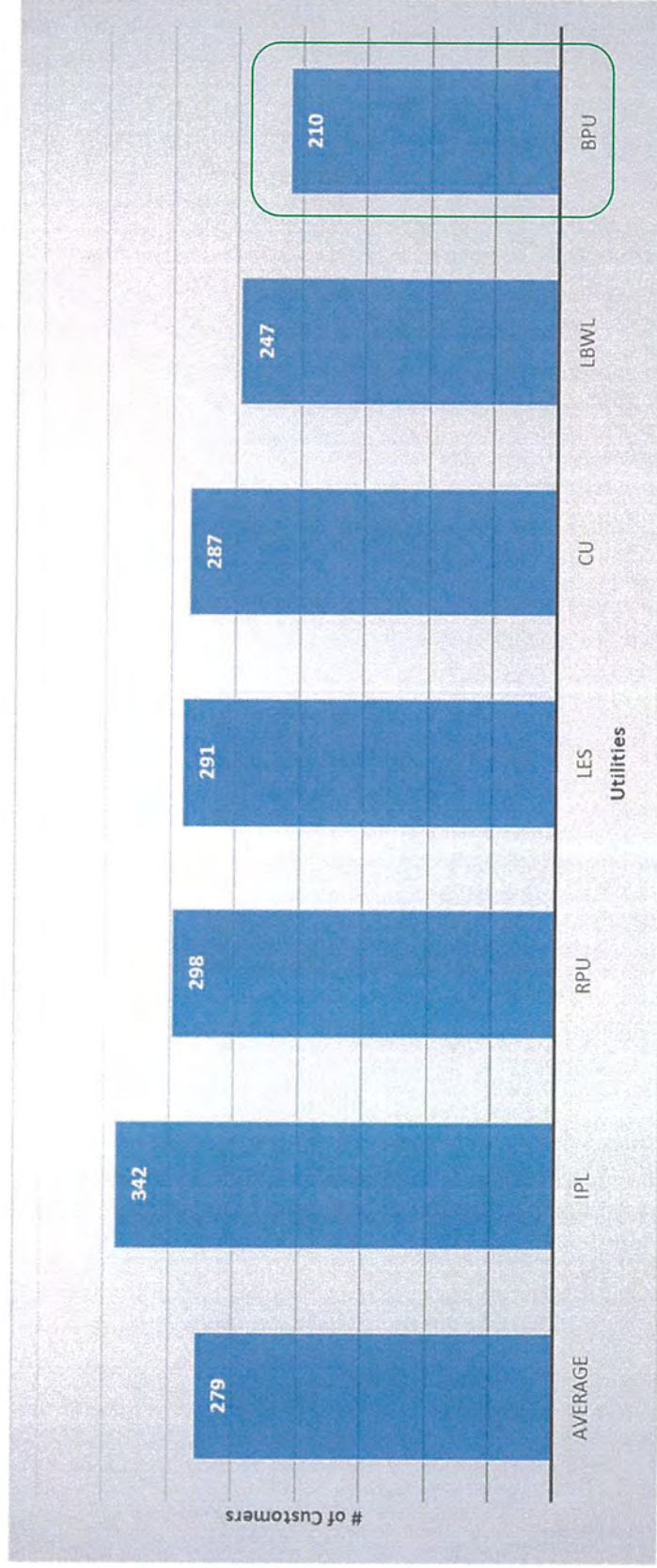


2022 Water Staff

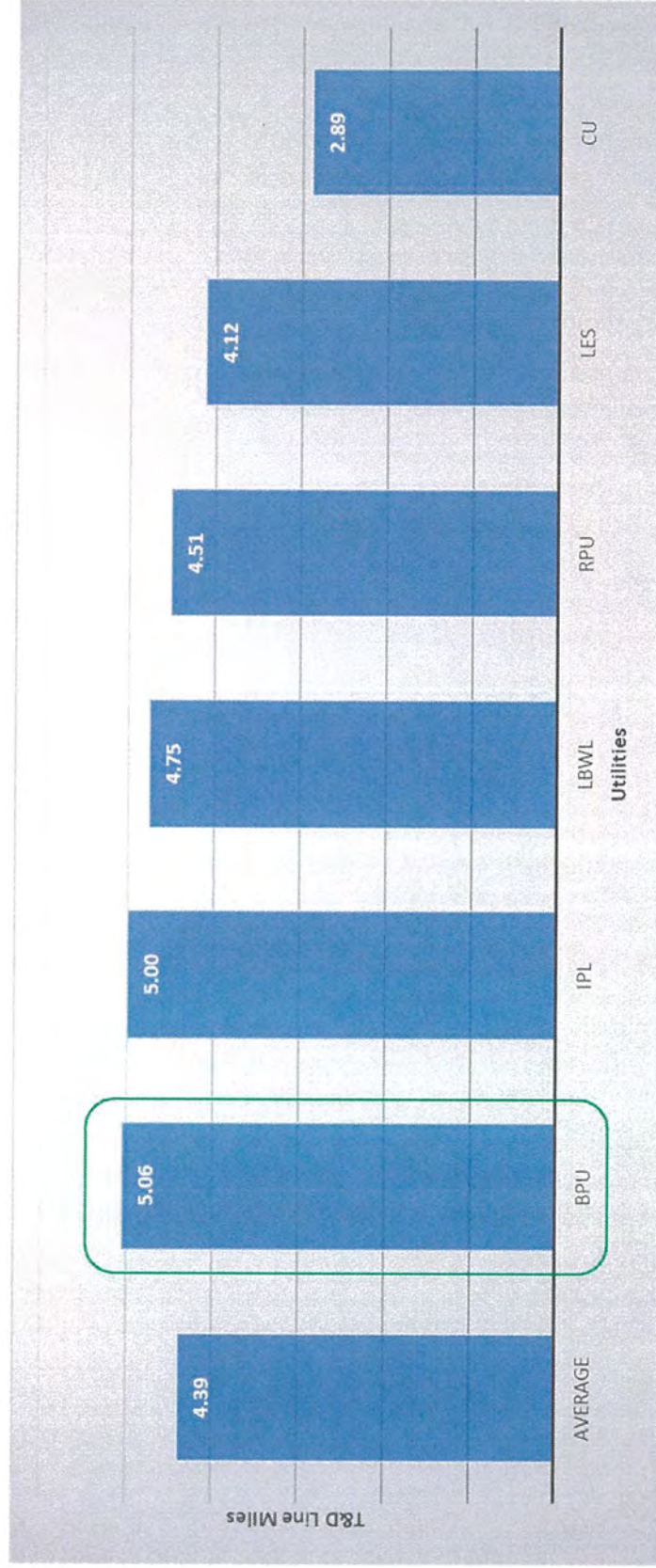




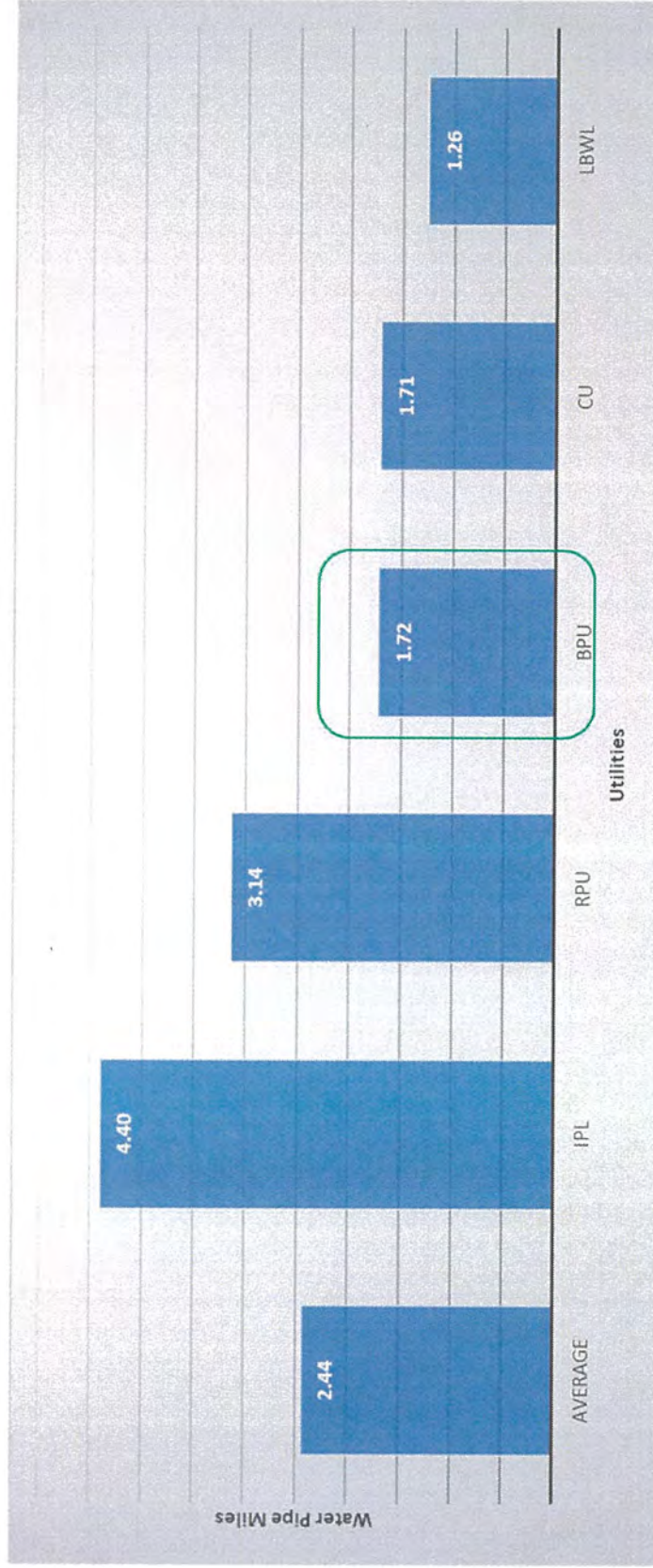
2022 Customers Per Employee



2022 T&D Line Miles per Employee



2022 Water Pipe Miles per Employee





Benchmark Summary

- BPU is either leading or at median in every staffing category measured except one.
- Every year BPU is consistently becoming more efficient with staffing in every functional area.
- Comparisons are not perfect, but they are the best comparators in the Midwest that were willing to participate. IPL and RPU are somewhat smaller than the other comparators. In addition, IPL has a decommissioned power plant and a different staffing model.
- Each city associated with IPL and RPU shares part of its administrative support staff with each utility.



2024 BPU STAFFING



2024 Proposed Staffing

Operating Division	2016	2017	2018	2019	2020	2021	2022	2023	2024 Proposed Staffing
Accounting & Finance	53	53	53	53	52	51	49	56	54
Corporate Compliance	11	11	11	12	12	13	14	14	14
Customer Services	53	53	51	51	51	49	44	44	44
Electric Operations	180	178	177	174	174	174	169	168	168
Electric Production	155	154	152	140	126	118	102	96	96
Electric Supply	28	28	28	28	28	28	28	24	24
General Management	10	9	8	9	9	9	9	7	7
Human Resources	9	9	9	9	9	9	9	9	9
Technology	26	28	30	31	31	31	31	33	33
Water Operations	108	109	109	110	108	108	108	108	107
Total:	633	632	627	620	600	590	563	559	556



Full-Time Approved Positions with Headcount

	2016	2017	2018	2019	2020	2021	2022	2023 as of 10/1
Approved Positions	633	632	627	620	600	590	563	559
Full-Time Employees	545	535	534	528	510	495	488	487



Vacancies and Personnel Requisitions

Year	Average Monthly Separations	Average Monthly Requisitions Posted	Average Monthly Requisition Filled	Average Days to Fill	Average Days to Average Monthly New Hires	% of Vacancies
2019	3	6	3	76	2	15%
2020	3	3	3	115	1	15%
2021	3	5	4	104	2	16%
2022	3	7	5	100	3	13%
2023 to October 1	2	8	7	94	3	13%



Historical Review of Overtime

<u>Division</u>	<u>2017</u>	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u> Thru 9/30
Accounting & Finance	\$87,978	\$117,661	\$148,674	\$66,966	\$101,905	\$106,233	\$91,060
Corporate Compliance	N/A	N/A	N/A	\$0	\$0	\$0	\$0
Customer Services	\$26,087	\$59,594	\$31,032	\$11,173	\$10,242	\$12,951	\$6,391
General Management	\$15,545	\$14,126	\$0	\$0	\$0	\$0	\$0
Human Resources	\$0	\$0	\$0	\$0	\$0	\$0	\$3,765
Electric Operations	\$2,401,832	\$1,631,737	\$1,830,529	\$1,699,759	\$2,111,970	\$2,379,280	\$1,539,308
Electric Production	\$892,587	\$1,190,839	\$970,617	\$852,700	\$852,700	\$791,575	\$733,428
Electric Supply	\$11,651	\$11,178	\$12,304	\$12,014	\$11,752	\$11,716	\$8,468
Technology	N/A	N/A	N/A	\$0	\$0	\$0	\$0
Water Operations	\$966,384	\$1,068,308	\$899,623	\$610,489	\$838,881	\$771,222	\$584,007
Total:	\$4,402,064	\$4,093,443	\$3,892,779	\$3,253,101	\$3,927,450	\$4,072,977	\$2,966,427

Employment Trends

	2018	2019	2020	2021	2022	2023 as of 10/1
Overall Turnover *	6.42%	6.48%	6.47%	7.71%	7.64%	6.44%
Termination Turnover **	3.30%	4.07%	3.62%	4.74%	3.42%	2.82%
New Hires	39	22	13	23	37	32

Turnover Rate Formula:

Turnover Rate= # of Separations / Average # of Employees X 100

* Overall Turnover - includes # of separations that retired, resigned and terminated

** Termination Turnover - includes # of separations that resigned and terminated

Retirement Data

Year	Percentage Eligible	Percentage Retired
2016	13%	3.55%
2017	15%	3.07%
2018	18%	3.12%
2019	17%	2.41%
2020	18%	2.85%
2021	21%	2.96%
2022	22%	4.22%
2023 Projected	20%	3.62%



Age and Length of Service Statistics

- 47 is the average age of a full-time BPU employee
- 13 years is the average years of service of a full-time BPU employee
- 20% of current employees are eligible for retirement, as of September 1, 2023
- 57 years old is the average age at retirement
- Retirement Turnover for 2021 is 2.96% and for 2022 is 4.22%

	2017	2018	2019	2020	2021	2022	2023
Average Age	45	46	46	47	49	48	47
Length of Service	11	12	11	12	14	13	13



2023 YTD Labor & Burden

<u>Division</u>	<u>Total Wages</u>	<u>Total Burden*</u>	<u>Total Wages & Burden</u>	<u>% Spent Thru 9/30</u>
Accounting/Finance	\$ 5,010,834	\$ 2,664,816	\$ 7,675,650	74%
Human Resources	\$ 978,613	\$ 528,451	\$ 1,507,064	73%
Customer Services	\$ 3,010,739	\$ 1,624,478	\$ 4,635,217	75%
General Management	\$ 1,276,547	\$ 689,335	\$ 1,965,882	75%
Technology	\$ 3,977,113	\$ 2,147,641	\$ 6,124,754	74%
Corporate Compliance	\$ 1,677,586	\$ 905,896	\$ 2,583,482	73%
Electric Operations	\$ 17,134,095	\$ 8,188,998	\$ 25,323,093	75%
Electric Production	\$ 10,113,360	\$ 5,193,189	\$ 15,306,549	74%
Electric Supply	\$ 2,966,187	\$ 1,597,559	\$ 4,563,746	74%
Water	\$ 10,831,536	\$ 5,550,200	\$ 16,381,736	74%
Company Total	\$ 56,976,610	\$ 29,090,563	\$ 86,067,173	74%

*Burden includes Employee & Retiree's Health Insurance, Pension Benefit, Life, Liability, and Disability Insurance, FICA-Company Portion, Compensating Absences, Unemployment, Long-Term Care-Company Portion



2024 Labor & Burden Estimated Budget

<u>Division</u>	<u>Total Wages</u>	<u>Total Burden*</u>	<u>Total Wages & Burden</u>
Accounting/Finance	\$ 5,010,834	\$ 2,664,816	\$ 7,675,650
Human Resources	\$ 978,613	\$ 528,451	\$ 1,507,064
Customer Services	\$ 3,010,739	\$ 1,624,478	\$ 4,635,217
General Management	\$ 1,276,547	\$ 689,335	\$ 1,965,882
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Corporate Compliance	\$ 1,677,586	\$ 905,896	\$ 2,583,482
Electric Operations	\$ 17,134,095	\$ 8,188,998	\$ 25,323,093
Electric Production	\$ 10,113,360	\$ 5,193,189	\$ 15,306,549
Electric Supply	\$ 2,966,187	\$ 1,597,559	\$ 4,563,746
Water	\$ 10,831,536	\$ 5,550,200	\$ 16,381,736
Company Total	\$ 56,976,610	\$ 29,090,563	\$ 86,067,173

*Burden includes Employee & Retiree's Health Insurance, Pension Benefit, Life, Liability, and Disability Insurance, FICA-Company Portion, Compensating Absences, Unemployment, Long-Term Care-Company Portion

Questions?





Staffing by Locations

Operating Division	2020	2021	2022	2023	2024 – Proposed Staffing
Administration Building	135	133	127	136	134
Energy Control Center	28	28	28	24	24
Muncie	75	75	74	71	72
Power Plants	133	125	109	103	99
Nearman Water Treatment Plant	26	26	26	27	26
Service Center	181	181	177	176	178
Water Engineering	22	22	22	23	23
Total:	600	590	563	560	556

REGULAR SESSION –WEDNESDAY, OCTOBER 18, 2023

STATE OF KANSAS)
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CITY OF KANSAS CITY)

The Board of Public Utilities of Kansas City, Kansas (aka BPU, We, Us, Our) met in Regular Session on Wednesday, October 18, 2023 at 6:00 PM. The following Board Members were present: Rose Mulvany Henry, President; Thomas Groneman, Vice President; Jeff Bryant and David Haley. Robert L. Milan, Secretary (connected via Zoom but unable to participate); and Mary Gonzales were absent.

Also present: William Johnson, General Manager; Angela Lawson, Acting Chief Counsel; Lori Austin, Chief Financial Officer/Chief Administrative Officer; Jeremy Ash, Chief Operating Officer; Johnetta Hinson, Executive Director Customer Service; Darrin McNew, Executive Director Electric Operations; Jerin Purtee, Executive Director Electric Supply; Steve Green, Executive Director Water Operations; David Mehlhaff, Chief Communications Officer; Andrew Ferris, Director Financial Planning; Dennis Dumovich, Director of Human Resources; Douglas Bowen, Director Electric Production Operations & Maintenance; Dustin Miller, Director of Applications; Ashley Culp, HR Manager; Michael Oldehoeft, Superintendent Operations WO; Steve Hargis, Supervisor Water Distribution Meters; Karen Johnson Phillips, HR Spec-Employee Relations; and Rick Hardman, IT Project Manager.

A video of this meeting is on file at the Board of Public Utilities and can be found on the BPU website, www.bpu.com.

Ms. Mulvany Henry called the Board meeting to order at 6:01 PM. She welcomed all that were listening to or viewing the meeting. She informed all that the meeting was being recorded including video and audio. During the public comment section, those attending in person, wishing to speak, should use the sign-up sheet at the entry and provide their name and address. Public comments were limited to five minutes and should be addressed to the Board. Members of the public who wished to speak to the Board using Zoom needed to use the Raise Hand feature at the bottom of the application or window to signal that they wish to address the board during the public comment section. Members of the public connected by phone only, needed to press *9 to indicate they wished to address the Board in the public comment section. No confidential information should be shared, including, account information. Staff would not provide individual account information during an open meeting. As always, the public could also email or call the BPU with any concerns. She informed that all participants were to act respectfully to each other. Personal attacks or accusations would not be tolerated. All concerns would be directed to the Board only, they would then determine staff involvement. If side discussion was necessary, it was to be conducted outside of the Board room to avoid interfering with presenters or other attendees. If any rules are breached during this meeting, the attendee was subject to removal. Ms. Mulvany Henry introduced herself and the other Board Members along with the General Manager, and Legal Counsel.

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Roll call was taken and all Board members were present except for Mr. Milan (who was connected via Zoom but unable to participate) and Ms. Gonzales.

Item #3 – Approval of Agenda

A motion was made to approve the Agenda by Mr. Bryant, seconded by Mr. Haley, and unanimously carried.

Item #4 – Approval of Work Session Minutes of October 4, 2023

A motion was made to approve the minutes of the Work Session of October 4, 2023, by Mr. Bryant, seconded by Mr. Groneman, and unanimously carried.

Item #5 – Approval of Regular Session Minutes of October 4, 2023

A motion was made to approve the minutes of the Regular Session of October 4, 2023, by Mr. Bryant, seconded by Mr. Groneman, and unanimously carried.

Item #6– Public Comments

Sister Therese Bangert, 8301 Wood Ave., expressed her thoughts regarding her recent experience with Customer Service, and on having an in-person option for customer assistance.

Mr. Johnson advised Sister Therese that he would continue to research the issues she brought forth and would follow back up with her.

Item #7– General Manager / Staff Reports

- i. *HR Personnel Code-Resolution #5290*: Mr. Dennis Dumovich, Director of Human Resources, presented Resolution 5290 for the Boards consideration. (See attached PowerPoint.)

A motion was made to approve Resolution 5290, regarding the Personnel Code, by Mr. Groneman, seconded by Mr. Haley, and unanimously carried.

- ii. *Utility Rebate Program Update*: Mr. Andrew Ferris, Director of Financial Planning, provided the Board an update on the Utility Rebate Program. He gave a recap of the

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current program and presented potential options for BPU to execute an independent program. (See attached PowerPoint.)

The discussion included:

- The ability to use the Low-Income Energy Assistance Program (LIEAP) data for eligibility purposes.
- Creating a BPU specific verification program.
- Utilizing the Unified Government’s (UG) new Low-Income Elderly and Disabled Utility Rebate Program.
- A program intended to assist residential customers in taking advantage of eligible Inflation Reduction Act (IRA) funds and if it would coincide with BPU’s current rebate options.
- A budget cap of \$150,000 for all options discussed.

Mr. Ferris responded to questions and comments from the Board.

- iii. *Miscellaneous Comments:* Mr. Johnson asked the Board to provide their availability to himself and Ms. Patrice Townsend, Director Utility Services, as she will be reaching out to the Ambassadors of the Community Engagement Program to set up a meeting.

Mr. Johnson wished Mr. Haley a Happy Birthday.

Item #8 – Board Comments

Mr. Haley thanked staff for their presentations. He stated he would continue to seek answers from the State regarding additional weatherization funds. He also inquired about the current BPU facilities RFP and thanked Sister Therese for her comments.

Ms. Angela Lawson, Acting Chief Counsel, instructed the potential proposer to follow the formal RFP process.

Mr. Groneman thanked Sister Therese for speaking to the Board. He also thanked Mr. Ferris for his presentation.

Mr. Bryant wished Mr. Haley a Happy Birthday and asked that he continue to monitor State funding as it would benefit Wyandotte County residents. He also thanked staff for their presentations.

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Ms. Mulvany Henry said that she looked forward to reviewing and revising the Customer Service policies to help improve customer’s experience with BPU. She also wished Mr. Haley a Happy Birthday.

Item #9 – Adjourn

At 7:06 PM a motion to adjourn was made by Mr. Bryant, seconded by Mr. Haley and unanimously carried.

ATTEST:

APPROVED:

Secretary

President

RESOLUTION NO. 5290

**RESOLUTION BY THE KANSAS CITY BOARD OF UTILITIES AN
ADMINISTRATIVE AGENCY OF THE UNIFIED GOVERNMENT OF WYANDOTTE
COUNTY/ KANSAS CITY, KANSAS REVISING AND REPLACING THE
PERSONNEL CODE.**

WHEREAS, the Board has previously adopted a Personnel Code; and

WHEREAS, after staff recommendations and the Elected Board discussion of said policies the Elected Board wishes to make updates to said code; and

WHEREAS, the updated Personnel Code is attached hereto;

**NOW, THEREFORE, BE IT RESOLVED AND ORDAINED BY THE
KANSAS CITY BOARD OF PUBLIC UTILITIES:**

That the Kansas City Board of Public Utilities hereby replaces the previous Personnel Code in its entirety and replaces them with the Policies attached hereto. This Code will be effective October 18, 2023 except when an action or event occurred prior to this date then the Personnel Code that was in effect at the time of the action shall apply.

**ADOPTED BY THE KANSAS CITY BOARD OF PUBLIC UTILITIES
THIS 18th day of October, 2023**

Rose Mulvany Henry, Board President

Attest:

Robert Milan, Board Secretary

Approved as to form:

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Kansas City Board of Public Utilities Policy

Personnel Code

PA-160-002

1.00 OVERVIEW

1.01 Introduction:

This Personnel Code of the Kansas City Board of Public Utilities, commonly referred to as "the KCBPU," has been adopted by the Board pursuant to various Charter Ordinances. All KCBPU employees are covered by the Personnel Code. In the event that an employee is covered by a bargaining agreement, and the provisions of that agreement conflict with this Personnel Code, then the bargaining agreement shall control.

The Board of Directors of the KCBPU is responsible for the approval of the Personnel Code under the guidelines of the Charter Ordinance.

1.02 Welcome to KCBPU!:

Welcome to the KCBPU! We hope your employment here will be challenging, meaningful and enjoyable. We are more than just another utility provider. We have a special team of dedicated individuals who believe in the power of community and strive to provide a high level of service to our customers. Our reputation in the industry is built on the level of service and attention we have provided to our customers over the years, and we adhere to the principles contained in our mission.

It is important that team members know what we expect of them and what they can expect from the KCBPU. The Personnel Code provides guidance and clarity in an easy reference format. Our goal is to be consistent and fair in our Personnel Code. There is also an Employee Handbook that has been adopted by the General Manager that supplements this Personnel Code and provides additional guidance.

Please familiarize yourself with the information contained in the Personnel Code, as your knowledge will help to prevent any misunderstanding concerning the items within the document. Contact your supervisor or the Human Resources Division if you have any questions.

2.00 POLICY

2.01 General Manager Authority:

The General Manager has the charge of utility employees including the authority to hire, fire, promote and demote. If you have a question regarding this section, please consult with your supervisor or the Human Resources Division.

- Employee at Will
 - All employees who do not have a written employment contract with the KCBPU for a term of employment, are employed at the will of the KCBPU for an indefinite period of time and may be terminated at any time, either with or

without cause. With the exception of the General Manager's contract, only the General Manager of the KCBPU has authority to enter into employment agreements. Otherwise, the KCBPU does not recognize or enter into unwritten employment agreements. Accordingly, the KCBPU does not recognize or enter into any oral or implied employment agreements. This Personnel Code does not constitute an employment agreement. This Personnel Code is not intended to alter the employment-at-will relationship in any way.

- Employee Relations
 - Good communication is essential to maintaining a productive work atmosphere. Should a problem develop or you have questions or ideas about procedures, policies, or your own position, please discuss it with your supervisor. Every effort should be made to resolve differences at this level. If the issue cannot be resolved between you and your supervisor, it can be submitted to management, the Human Resources Division and ultimately to the General Manager or a designated representative. The General Manager's actions are final. See the Employee Handbook for more information.
- Discipline Program
 - KCBPU recognizes the need to maintain discipline, establish and communicate reasonable rules of conduct, and to consistently enforce these rules where necessary.
 - The purpose of maintaining discipline is to improve employee performance and correct inappropriate behavior. Disciplinary action should be applied to the extent necessary to correct misconduct and to bring employee performance back into conformance with acceptable standards.
 - These disciplinary provisions in the Employee Handbook do not represent an employment contract. Employment with the KCBPU is at-will and at the discretion of the General Manager. The Employee Handbook will provide additional provisions in detail to be consistent with the Personnel Code and as amended. The KCBPU has made no commitment for employment for any specified duration. Either the KCBPU or the employee may terminate the employment relationship at any time.
- Management Responsibilities
 - Management is accountable for maintaining discipline and enforcing the rules of the Employee Handbook. Disciplinary matters should always be handled at the lowest possible level of supervision, with appropriate review by the next higher

level of management in accordance with the procedures established in the Employee Handbook. Management is defined as those employees deemed to be “Exempt” by the Fair Labor Standards Act (FLSA) and in a supervisory role.

- The Human Resources Division is accountable for monitoring this Personnel Code and assuring consistent application of the rules contained herein.
- Each supervisor is responsible for maintaining discipline and enforcement of rules in their functional area, department or division.
- Supervisors shall be responsible not only for their own safety but also for the safe work performance of employees under their supervision. Failure by a supervisor to enforce this policy or other KCBPU safety requirements may result in disciplinary action, up to and including discharge.
- Any supervisor observing a rule violation may recommend disciplinary action in accordance with the Employee Handbook if, in their judgment, the situation warrants such action. Any supervisor has the authority to suspend employees in their line of their authority pending an investigation in cases involving serious offenses, but should attempt to seek guidance from the Human Resources Division.
- Only the General Manager has the authority to discharge an employee.

2.02 *Establish Employment Policies, Practice and Procedures:*

The General Manager is directed to adopt an Employee Handbook and amend as needed, that is consistent with this Personnel Code and governs the day to day activities of employment at the KCBPU. The Employee Handbook will provide additional provisions in detail to be consistent with the Personnel Code as amended.

2.03 *Equal Employment Opportunity (EEO):*

The KCBPU is committed to providing equal employment opportunity for all persons regardless of race, color, sex (including pregnancy, gender identity, and sexual orientation), religion, national origin or ancestry, genetics, disability (physical or mental), marital status, age or military or veteran status and any other legally protected status. Equal opportunity extends to all aspects of the employment relationship, including hiring, transfers, promotions, training, terminations, compensation, benefits, and other terms and conditions of employment.

KCBPU shall comply with all applicable federal, state and local equal opportunity laws and strive to keep the workplace free from all forms of illegal discrimination and harassment.

- Individual with Disabilities

- The KCBPU shall comply with federal, state and local laws concerning the employment of individuals with disabilities. If you believe you have a disability that may require accommodation in order to perform the essential functions of your job, you should contact the Human Resources Division. Additionally, if you believe that you have been discriminated against on the basis of your disability, you should contact the Human Resources Division immediately.
- Harassment/Discrimination
 - It is the intent of the KCBPU that all employees, vendors, customers and all other persons with whom KCBPU employees may come into contact as part of their employment with KCBPU enjoy a work environment free from all forms of discrimination, including illegal harassment. Harassment based on race, color, sex (including sexual harassment, pregnancy, gender identity, and sexual orientation), religion, national origin or ancestry, genetics, disability (mental or physical), citizenship status, marital status, age, or military or veteran status and any other legally protected status is a violation of the KCBPU's policy on Equal Employment Opportunity.
 - You are expected to deal fairly and honestly with other employees, vendors, customers and all other persons with whom you come in contact as a KCBPU employee to ensure a work environment free of intimidation and harassment. Abuse of the dignity of anyone through ethnic, racist, sexist slurs, or through other derogatory or objectionable conduct is offensive employee behavior and may be subject to disciplinary action.
 - Sexual harassment is a specific form of harassment that undermines the integrity of the employment relationship. It will not be tolerated. Unwelcome sexual advances, requests for sexual favors, unwelcome sexual overtures and/or conduct and other verbal or physical conduct of a sexual nature will not be tolerated and such activity should be reported to the Human Resources Division.
 - Any person who feels that he or she has experienced or observed harassment or has been discriminated against due to race, color, sex (including sexual harassment, pregnancy, gender identity, and sexual orientation), religion, national origin or ancestry, genetics, disability (mental or physical), citizenship status, marital status, age or military or veteran status and any other legally protected status should immediately report such incidents to his/her supervisor, the Human Resources Division, or to the General Manager without fear of reprisal.

- The KCBPU will make every effort to maintain confidentiality to the extent possible in conducting a thorough and effective investigation. An investigation will be made and appropriate action taken to address the investigative findings.
- The KCBPU strictly prohibits retaliation against an individual for making a complaint or notifying the KCBPU of conduct prohibited by this policy, testifying as a witness at a hearing or otherwise assisting in an investigation of any complaint made pursuant to this policy.
- We also realize that intentional false accusations or harassment can have serious effects on innocent employees. Thus, false accusations may also result in disciplinary action.

2.04 *Residency:*

- The KCBPU board declares that all employees must establish and maintain their legal primary residence within the legal boundaries of the Unified Government of Wyandotte County/Kansas City, Kansas. The Board's objectives in adopting a residency requirement are to promote the interest and loyalty of KCBPU employees within the KCBPU's service area, to improve the relations between KCBPU employees and the residents of the Unified Government and the Unified Government Board of Commissioners, to enhance the quality of KCBPU's employees' performance by encouraging greater personal knowledge of the KCBPU's service area and by fostering a greater personal connection between KCBPU employees and the KCBPU in terms of the KCBPU's growth, rates and competitive edge, to diminish absenteeism and tardiness, to promote readily trained personnel in emergency situations, to help the general economic conditions of the local economy by increasing local spending of employees' wages and salaries, to help diminish the population decline of the county, and to help increase the local tax base while adding to the number of KCBPU customers.
- Pursuant to the KCBPU's residency requirement, all KCBPU employees shall establish and maintain their legal primary residence within the legally defined boundaries of the Unified Government of Wyandotte County/Kansas City, Kansas, throughout the period of their employment, and shall not attempt to circumvent the objectives of the KCBPU's employee residency requirement.
- All KCBPU employees shall have a period of twelve (12) months after employment begins to establish and maintain a legal primary residence within the legally defined boundaries of the Unified Government of Wyandotte County/Kansas City, Kansas. On or before the last day of the twelve (12) month period, the employee

shall be required to complete a "Certificate of Residency," to be filed with the Human Resources Division, indicating the employee's address and any subsequent change of address, and acknowledging the KCBPU's continuing residency requirement. Should the employee be found not to have established or maintained a legal primary residence within the legally defined boundaries of the Unified Government of Wyandotte County/Kansas City, Kansas the employee shall be terminated for failure to meet the conditions and qualifications for continued employment with the KCBPU.

- Legal and primary residence is defined as a KCBPU employee's domicile, which is the residence that is intended to be permanent rather than temporary and which is the place that is permitted and authorized as a residential dwelling by the laws and ordinances of the State of Kansas and the Unified Government of Wyandotte County/Kansas City, Kansas. The legal and primary residence shall be the residence where the employee spends the majority of his/her non-work hours. Tests for determining a KCBPU employee's legal primary residence include, but are not limited to the residential address indicated on an employee's driver's license, automobile registration, voter's registration, bank accounts, credit cards and legal documents; the address provided for the purpose of school enrollment for children living with the KCBPU employee; the address provided on the Certificate of Residency filed with the KCBPU's Human Resources Division; and any other credible evidence indicating the employee's intent to reside at a permanent and primary residence.

**2.05 *Collective
Bargaining –
Recognition:***

- Physical Bargaining Unit
 - The Kansas City Board of Public Utilities hereby recognizes the Local Union 53, International Brotherhood of Electrical Workers as the bargaining representative for the physical employees employed within the divisions, except that the term "Employee" shall exclude professional, clerical, confidential employees, guards and supervisors as defined in the National Labor Relations Act, as amended, employed within said section.
 - International Brotherhood of Electrical Workers
Local 53
1100 East Admiral Boulevard
Kansas City, Missouri 64106
- Clerical Bargaining Unit
 - The Kansas City Board of Public Utilities hereby recognizes the Local Union 53-4, International Brotherhood of Electrical Workers as the bargaining representative for the clerical employees employed within the Divisions, except

that the term "Employee" shall exclude managerial, confidential employees, guards and supervisors as defined in the National Labor Relations Act, as amended, employed within said Divisions.

- International Brotherhood of Electrical Workers 53-4
1100 East Admiral Boulevard
Kansas City, Missouri 64106
- Employee Categories
 - Regular full-time employees: Employees working and scheduled to work at least a 30-hour workweek on an annual basis are eligible for KCBPU benefits.
 - Exempt employees: Employees who are exempt from the overtime pay provisions of the Fair Labor Standards Act (FLSA) and accordingly need not receive additional compensation or compensatory time for working more than 40 hours in a workweek. Exempt employees are generally executive, administrative, professional, or sales personnel and work at least 40 hours per week.
 - Non-exempt employees: Employees who are covered by the overtime provisions of the Fair Labor Standards Act (FLSA) are, therefore, eligible for overtime payment at 1 ½ times their hourly rate.
- Bargaining Units and Non-Bargaining Employees
 - The KCBPU recognizes that certain classes and categories of employees are not eligible for membership in any of the bargaining units. Additionally, bargaining unit employees may elect not to be represented by such bargaining units.
 - All KCBPU employees are covered by the policies and procedures outlined in the Employee Handbook. In the event that an employee is covered by a recognized collective bargaining agreement in effect, and the provisions of that collective bargaining agreement conflict with the Employee Handbook, then the collective bargaining agreement shall control.

2.06 Holidays:

Holidays recognized by the KCBPU shall be:

- New Year's Day
- Martin Luther King's Birthday
- Good Friday
- Memorial Day
- Juneteenth
- Independence Day
- Labor Day
- Thanksgiving Day
- Friday after Thanksgiving

- Christmas Day

The General Manager is directed to set the actual date of the holidays on an annual basis and to provide these dates to all personnel.

2.07***Employees
Addressing the
Board Regarding
Employment
Related Matters:***

- KCBPU employees may attend public open meetings of the KCBPU Board of Directors and may address the Board or during such meetings if the Board's Rules and Procedures permit such comment, subject to the following limitations:
 - To be allowed to address the Board, a KCBPU employee must speak on a matter of public concern.
 - Comments by a KCBPU employee on a matter of personal interest will not be allowed.
 - A KCBPU employee will be allowed to address the Board of Directors on items on the Board's agenda, as long as the employee's comments relate to a matter of public concern, rather than personal interest.
 - If the General Manager determines that a KCBPU employee's remarks relate to a matter of personal interest, rather than public concern, such remarks will not be allowed.
- Guidelines:
 - Matters of public concern are those that are of interest to the community, whether for social, political, or other reasons.
 - In deciding whether a particular statement involves a matter of public concern, the fundamental inquiry is whether the employee speaks as a citizen or as an employee. The content, form and context of the speech, as well as the speaker's motivation, must be considered.
 - Speech pertaining to internal personnel disputes, personal grievances, internal policies or working conditions ordinarily is not of public concern. On the other hand, speech that pertains to a public agency's discharging its governmental responsibilities or that questions the propriety of governmental operations or the integrity of governmental officials is a matter of public concern.
 - The term "working conditions" includes, but is not limited to, matters relating to wages, salaries, hours of work, overtime, vacation, sick leave, injury leave, holidays, retirement benefits, insurance benefits, wearing apparel, discipline, termination, promotion, demotion and transfer.
 - Even though a statement by an employee addresses a matter that ordinarily would be of personal interest, the statement may involve a matter of public concern,

depending upon the content, form and context of the statement.

- The Board of Directors requests that employees address matters of personal interest involving their employment with their supervisors or other management or the Human Resources Division or through the grievance process, as appropriate, rather than through oral or written communications with Board members. Under the KCBPU policy, authority over personnel decisions is vested in the Human Resources Division and the General Manager. The Board of Directors and its members are prohibited from in any manner directing, supervising or requiring the appointment, promotion, transfer, assignment, demotion, discipline, suspension, discharge or removal of any officers or employees.
- This policy is intended to be a statement of the right of KCBPU employees to freedom of speech. This policy shall be interpreted so as to protect an employee’s right to free speech.

3.00 REVISION HISTORY

Prior Version # [Effective Date]	Owner [Author]		Approver	Board Approval Required <input checked="" type="checkbox"/> Yes
	Name			
	Title			
Current Version # [Effective Date]	Owner [Author]		Approver	
XX/XX/2023	Name	Dennis Dumovich	William Johnson	
	Title	Director Human Resources	General Manager	
Description of Changes:	Personnel Code Book moved into Personnel Code Policy			
Owner Signature/Date				
General Manager Signature/Date				



Kansas City Board of Public Utilities Low Income Programs

October 18, 2023



CURRENT LOW INCOME REBATE

- The BPU initiated the BPU Low Income Rebate Program this month with the initial recipients coming from those residents that were accepted into the UG's Utility Rebate Program.
- There are a total of 479 residential customers in the program.
 - 98 of those customers are Electric only customers
 - 381 of those customers are both Electric and Water customers
- The current program is set to run from September 2023 through May 2024
- Electric only customers will receive a credit of \$5 per month while Electric and Water customers will receive \$7.50 per month.
 - The initial payment may comprise two or three months of rebate credits depending on the timing of the customer load and billing cycle.
 - The total award will be \$45 for Electric only customers in the program and \$67.50 for Electric and Water customers in the program.

POTENTIAL LOW INCOME PROGRAMS

- Stand up an independent Low Income Rebate Program regardless of age or disability
 - A Potential Option would be to utilize a LIEAP provided data feed for eligibility purposes. LIEAP is eligible to all households at or below 150% of the Federal Poverty Level.
 - At this point we have had discussions with LIEAP staff but currently do not know if that data sharing will be possible but will continue those efforts for potentially a rebate program as well as potentially other projects or programs.
 - Administration costs under this design would be expected to be limited.
 - Up to 20,000 households would potentially be eligible under this program design.
 - This program design would likely be more restrictive on the majority of households with seniors and the disabled than the new UG program design.
 - Staff recommends a Rebate program cap of \$150,000



POTENTIAL LOW INCOME PROGRAMS

- Staff also explored standing up a BPU specific verification program and perform the verification and administration internally or through an administrative agency. This program would be too expensive and cumbersome to implement.
 - Under likely conservative estimates and based on costs already paid to other non-profit program administrators would expect that administration costs alone would exceed \$250,000 annually.
 - This approach would require a full program design, development process, staffing (internally or externally) and audit process to stand up and manage.
 - Utilizing state or municipal agencies already spending these dollars on these processes would be substantially more efficient and ensure a higher percentage of the funds are actually getting directed to those who need it and not getting eaten up in the administrative burden.



POTENTIAL LOW INCOME PROGRAMS

- Utilization of the UG's new Low Income Elderly and Disabled Utility Rebate Program.
 - Staff Recommended Option
 - The UG's new Program significantly expands the number of eligible households and could potentially have as many as 15,000 households eligible.
 - No additional labor or administration costs, so all allocated funds would be directed to the program recipients.
 - Is eligible to those households that have an individual in the household that is 65+ or has a disability and has a BPU account.
 - Staff recommends a Rebate program cap of \$150,000



ADDITIONAL ASSISTANCE AVAILABLE

- There are numerous programs and agencies providing assistance and weatherization and we encourage all customers to explore the various programs:
 - Utility Assistance (BPU Funded)
 - Hardship Assistance (BPU Funded)
 - Agency Assistance
 - LIEAP
 - K-WAP
 - UG Low Income Senior or Disabled Rebate Program
 - Homestead
 - HOMES and HEERA (IRA Funding coming soon)



IRA DIRECT TO CONSUMER FUNDING

- As part of the IRA the state will be providing guidance on direct to consumer point of sale rebates.
 - Likely beginning in Q1 2024 the state will release the design and release of direct to consumer Electrification, Energy Efficiency, and Weatherization funds.
 - For households at or below 80% of the Area Median Income

Household Size	80% AMI
1	\$54,240
2	\$62,000
3	\$69,760
4	\$77,440
5	\$83,680
6	\$89,840



IRA DIRECT TO CONSUMER FUNDING

- Those households are eligible for up to \$14,000 in point of sale rebates.
 - Weatherization - Up to 100% of costs are covered up to \$1,600
 - Heat Pump - Up to 100% of costs are covered up to \$8,000
 - Electric Panel - Up to 100% of costs up to \$4,000
 - Electric Wiring - Up to 100% of costs up to \$2,500
 - Heat Pump Water Heater - Up to 100% of costs up to \$1,750
 - Electric or Induction Stove - Up to 100% of costs up to \$840
 - Heat Pump Clothes Dryer - Up to 100% of costs up to \$840
 - Efficiency Rebate - Up to 80% of costs up to \$8,000



IRA DIRECT TO CONSUMER FUNDING

- Program design would be intended to assist residential customers in taking advantage of the full allocation of eligible funds available.
 - Work with vendors and providers to ensure they can provide products and services to meet the thresholds established as part of the IRA program.
 - Ensure direct point of sale rebate or a mechanism to ensure no or limited funds out of pocket.
 - These funds have the ability to dwarf any other potential pool of funds available with the goal being to connect our residential customers with those providers that have been vetted and can offer low or no cost solutions.



QUESTIONS



