North Central Solid Waste Authority
Resolution Number 2026-10-02

A RESOLUTION AMENDING THE PERSONNEL POLICY AND PROCEDURE TO REGARDING TEMPORARY DUTY MODIFICATION

WHEREAS, the Board recognizes that circumstances beyond the control of North Central Solid Waste Authority may, from time to time, disrupt or prevent employees from performing their regularly assigned duties; and

WHEREAS, NCSWA has an interest in maintaining continuity of operations, utilizing its workforce effectively, and ensuring that employees are provided with clear and consistent direction when normal work assignments are temporarily disrupted;

WHEREAS, temporary modification of an affected employee's duties may be necessary or appropriate when the employee's regularly assigned duties cannot reasonably be performed due to circumstances outside NCSWA's control;

WHEREAS, the Board finds that amending the Personnel Policy and Procedures to include a policy on Temporary Duty Modification is in the best interests of NCSWA.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS AS FOLLOWS:

This following will be added to Section 10 of the policy. 10.11 Temporary Duty Modification:

When an employee's regular job duties are interrupted due to circumstances beyond the Employer's reasonable control, the Employer may temporarily modify the employee's assigned duties, work location, schedule, or other work responsibilities for the duration of the interruption.

The Employer will make reasonable efforts to provide the affected employee with productive work or other appropriate duties consistent with the employee's position, qualifications, and the needs of the Employer.

This policy does not limit the Employer's authority to address other operational circumstances in accordance with applicable law, personnel policies, employment agreements, or collective bargaining agreements.

When an interruption occurs, the affected employee may be temporarily assigned alternative duties or responsibilities.

The temporary assignment of duties under this policy does not constitute a permanent change in the employee's position, classification, compensation, or employment status.

PASSED AND APPROVED ON THIS DAY 10/15/2026

When regular duties are interrupted and the employee's normal work assignment cannot be performed, the affected employee may elect to utilize accrued overtime hours or accrued compensatory time for the affected workday, subject to applicable law and Employer procedures governing the use of such accrued time.

An employee who elects to use accrued overtime or compensatory time shall notify the appropriate supervisor as soon as reasonably practicable.

The use of accrued overtime or compensatory time under this section shall be treated as use of the employee's previously accrued leave or compensatory balance and shall not constitute additional hours worked.

Unless otherwise required by law or an applicable employment agreement, an employee is not required to exhaust accrued overtime or compensatory time before being assigned modified duties.

The Employer retains the authority to determine whether an interruption of regular duties has occurred and are beyond the Employer's reasonable control; the temporary duties assigned; and the duration of the temporary modification.

The Employer will apply this policy consistently and in accordance with applicable law.

Employees affected by an interruption of regular duties are expected to: remain available for work during their regularly scheduled hours unless otherwise directed; and perform temporary or modified duties assigned by the Employer.

When the circumstances causing the interruption have been resolved, as determined by the Employer, the employee will return to their regular duties and responsibilities unless otherwise directed by the Employer.

Nothing in this policy requires the Employer to create work where none is reasonably available. If appropriate alternative duties are not available, the Employer may address the affected employee's work schedule through the use of accrued overtime, compensatory time, or other applicable leave or personnel procedures, consistent with applicable law and Employer policy.

PASSED AND ADOPTED on this 15th day of October, 2026.

PASSED AND APPROVED ON THIS DAY 10/15/2026

_____
Alex Naranjo, Chairman

County of Rio Arriba
This instrument was signed or acknowledged before me on _____
by,_____

_____
Signature of Notary Public