



POLICY AND PROCEDURE

POLICY NUMBER: 220-506

POLICY TITLE: Alcohol and Drug Free Workplace Policy

EFFECTIVE DATE: January 16, 1990 **REVISION DATE:** 6/22/93, 11/1/01, 09/22/09 **Revision**
date TBD

APPROVED BY: _____

CITY MANAGER

Confirmed by Council of the Columbus Consolidated Government, Ordinance No. _____

I. PURPOSE

To establish a policy that describes the Columbus Consolidated Government's (CCG) expectations regarding alcohol and illegal drugs in the workplace. The CCG has a longstanding commitment to provide a safe, quality-oriented, and productive work environment. Alcohol and drug abuse pose a threat to the health and safety of CCG employees and to the security of the organization's equipment and facilities. For these reasons' CCG is committed to an alcohol and drug free workplace.

II. SCOPE

This policy applies to all employees and all applicants for employment of the Columbus Consolidated Government.

I. STATEMENT OF POLICY:

The Columbus Consolidated Government is committed to providing a safe working environment and to fostering the well-being and health of its employees. That commitment is jeopardized when any Columbus Consolidated Government employee illegally uses drugs on or off the job, comes to work under the influence, possesses, distributes, or sells drugs in the workplace, or abuses alcohol on the job. Therefore, the Columbus Consolidated Government has established the following policy:

- (1) Employees are prohibited from engaging in the unlawful manufacture, distribution, sale, dispensation, possession or use of illegal drugs. The Columbus Consolidated Government prohibits its employees from engaging in such illegal activities during working and non-working hours at all times and at all places.
- (2) Employees are prohibited from use, dispensation, possession, or sale of alcohol on City premises, while operating City vehicles, or at any other time during the employee's work shift. Exceptions may include such agencies as the Golf Authority and Trade Center whose employees while on duty, may sell alcohol beverages purchased by the Trade Center, and/or golf courses to sell to the Trade Center or golf course customers. These employees must remain alcohol and drug free in the course of their work.

- (3) Employees will report to work alcohol and drug free and are to stay alcohol and drug free during the entirety of their work shift.
- (4) It is a violation of City policy for anyone to use prescription drugs illegally. 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 mental functioning, motor skills, or judgment may be adversely affected must be reported to supervisory personnel. Employees must remove themselves from service if they are experiencing any adverse effects from medication. Legally prescribed drugs must include documentation of the patient's name, the substance name, the quantity to be taken and the period of authorization.
- (5) Each employee is required to inform his/her Department Director immediately upon return to work if he/she is arrested or convicted for violation of any criminal drug or alcohol statutes of any jurisdiction, regardless of whether the alleged violation occurred at the workplace or elsewhere. The employee must notify his/her Department Director and the Human Resources Director in writing of each arrest or conviction. A conviction means a finding of guilt, including a plea of nolo-contendere, or the imposition of sentence by a judge or jury in any federal or state court. Any employee who has been arrested for a drug violation will be suspended or terminated pending resolution of charges. See Disciplinary Action Policy # 220-502 for disciplinary guidelines. This is subject to appeal via Fair Treatment Policy. This determination will be made after completion of department investigation and coordination with Human Resources Director. Any conviction of said charges will result in termination.
- (6) As a condition of employment, employees must abide by the terms of this policy. Violations of this policy are subject to disciplinary actions up to and including termination.

The goal of this policy is to balance our respect for individuals with the need to maintain a safe, productive, and drug-free environment. The intent of this policy is to offer a helping hand to those who need it, while sending a clear message that the illegal use of drugs and the abuse of alcohol are incompatible with employment at Columbus Consolidated Government.

The United States Congress enacted into law, The Drug Free Workplace Act of 1988. The purpose of this law is to ensure that work done under a federal contract or a federal grant is done in a drug-free environment.

II. DEFINITIONS:

Adulterated specimen: A urine specimen that has been altered, as evidenced 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.

Dilute specimen: A urine specimen with creatinine and specific gravity values that are lower than expected for human urine.

Invalid result: The result reported by a laboratory for a urine specimen that contains an unidentified adulterant, contains an unidentified interfering substance, has an abnormal physical characteristic, or has an endogenous substance at an abnormal concentration that prevents the laboratory from completing testing or obtaining a valid drug test result.

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.

Non-negative specimen: A urine specimen that is reported as adulterated, substituted, positive [for drug(s) or drug metabolite(s)], and/or invalid.

Positive result: The result reported by an HHS-certified laboratory when a specimen contains a drug or drug metabolite equal to or greater than the cutoff concentrations.

Shy Bladder: a type of phobia in which the sufferer has trouble urinating in the presence of others, such as in a public restroom.

Split specimen: In drug testing, a part of the urine specimen that is sent to a first laboratory and retained unopened, and which is transported to a second laboratory in the event that the employee requests that it be tested following a verified positive test of the primary specimen or a verified adulterated or substituted test result.

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.

III. EMPLOYMENT SCREENING

The following provisions apply to applicants considered for employment with Columbus Consolidated Government:

- (1) Applicants considered for employment or rehire will be screened for drugs and/or alcohol as a routine part of the employment physical for specified job classes. Employees who are being reinstated after a successful Fair Treatment appeal or are rehired must also pass a drug and alcohol test prior to return to work if more than 30 days have elapsed.
- (2) Upon receipt of an offer of employment, candidates must complete required drug testing within 24 hours after being notified of the scheduled drug test. Candidates who refuse to submit to a drug test or who fail to show up for a drug test within 24 hours of notification will no longer be considered for employment, and any offer of employment will be rescinded.
- (3) Applicants will be requested to sign a consent release form authorizing the designated lab to perform the drug and/or alcohol screening test and submit the results to the Human Resources Department.
- (4) Applicants who refuse to sign the consent release form or who show traces of illegal drugs or abuse of prescription drugs or alcohol will not be considered for employment for a period of one (1) year. Applicants who subsequently reapply for employment after the one (1) year period will again be requested to sign a consent release form and be required to pass a drug and/or alcohol screening test that shows no signs of illegal drugs, abuse of prescribed drugs or alcohol.
- (5) Applicants that are positive will be shown as unfit for duty. No results shall be released to the Department Director or any other official as to the results of the drug test. Only the Human Resources Department and/or the contracted Medical Review Officer will communicate positive results from the screening tests to the applicant.

IV. BASIS FOR TESTING FOR DRUGS OR ALCOHOL

REASONABLE SUSPICION

- (1) Drug and alcohol testing will be required for employees for which reasonable suspicion exists to believe that such employees are under the influence of drugs or alcohol during his/her assigned working hours or while otherwise on City property.

The following circumstances could cause reasonable suspicion:

- (A) Observed drug or alcohol use
 - (B) Apparent odor of alcohol on breath
 - (C) Apparent physical state of impairment
 - (D) Incoherent mental state
 - (E) Marked changes in personal behavior that are otherwise unexplainable
 - (F) Deteriorating work performance that is not attributable to other factors
 - (G) Accidents or other actions that provide reasonable cause to believe the employee may be under the influence of drugs and/or alcohol.
- (2) The initial determination of whether reasonable suspicion exists shall be made by the Department Director or by the highest-ranking supervisory staff person on duty at the time. (The Department Director or supervisory staff person shall consult with the Human Resources Director, his/her designee or in his/her absence, a designated physician.) (Please see "Attachment A" for contact persons names and telephone numbers).
 - (3) Following the determination that reasonable suspicion exists, the employee shall be transported to the collection site by the employee's supervisor or the supervisor's designee. The testing process will begin immediately upon notification of reasonable suspicion. The supervisor or supervisor's designee will accompany the employee through the entire process from notification to delivery to the testing site. Following the collection procedure, the person transporting the employee(s) shall make appropriate arrangements to transport the employee home contingent upon results.
 - (4) Employees are required to comply with reasonable suspicion testing. If an employee refuses to be tested, he/she will be suspended for five (5) days without pay pending termination. A refusal will be treated the same as a positive result.

RANDOM TESTING

A random testing "pool" has been established and is comprised of all sworn personnel within the Public Safety departments, all 911 employees, all employees whose job requires a Commercial Drivers Licenses (CDL) and other safety sensitive positions.

***Safety Sensitive Positions:** are those positions in which (1) all DOT/FTA Safety Sensitive employees, employees that are assigned a City vehicle and/or required to drive a City vehicle to perform their job duties. City vehicles include all motorized vehicles; by example, cars, buses, heavy duty and small trucks, dump trucks, fork-lift, Zamboni, tractors, golf carts, riding lawn mowers and other special operating vehicles; or (2) employees who use, operate and/or perform maintenance, installation, and/or repair of City property, vehicles, and/or equipment, including but not limited to electrical work, carpentry work, welding, using power tools and equipment, set up

and/or assembly of stage equipment or bleachers or performing other similar jobs where a collapse or malfunction could cause serious injuries to themselves, other employees, the public and/or significant loss or destruction of property or resources.

- (1) Random drug and/or alcohol testing will be conducted without prior notice to the employees selected.
- (2) The list of employees to be randomly tested will be generated by computer software, which utilizes pure random number generation.
- (3) The day(s) for testing will be kept confidential until the test day. The date will be conveyed to the department director, who will arrange for randomly selected employees to be tested.
- (4) Employees will not take any personal item into the testing area. All pockets will be empty except for one item of picture identification.
- (5) An employee selected for random drug/alcohol testing will be notified on the day of the test and given a specific time to report for testing. Failure to report at the designated time or to cooperate fully with the medical and administrative personnel will result in being suspended five (5) days without pay pending termination.
- (6) Employees will remain at the testing site until an adequate, appropriate specimen is given.
- (7) Leaving the testing site, altering specimens or any other behavior, which is used to alter the drug test, will result in five (5) days suspension without pay pending termination.
- (8) Employees are required to comply with random testing. If an employee refuses to be randomly tested, he/she will be suspended for five (5) days without pay pending termination. A refusal will be treated the same as a positive result.

SPECIFIC RANDOM TESTING - COMMERCIAL DRIVERS LICENSE

- (1) Federal and State of Georgia Department of Transportation regulations require random and post-accident testing of all employees who possess Commercial Drivers Licenses (CDL).
- (2) A random testing “pool” has been established and is comprised of current CDL drivers. The pool will be updated continually by placing new CDL drivers in and removing former employees. The pool and random testing will provide a list of employees to be randomly tested at least once per calendar year. The list of employees to be randomly tested will be generated by computer software, which utilizes pure random number generation.
- (3) Procedures for testing will be handled as described under **“Random Testing”** 1 thru 7. (See above)
- (4) For DOT/FTA (CDL holders) drug testing standards, please see “Attachment B-1.”
- (5) An alcohol concentration of 0.04 or greater will be considered a positive alcohol test and in violation of this policy and a violation of the requirements set forth in 49 CFR Part 654.21 for safety-sensitive employees.
- (6) If the initial test indicates an alcohol concentration of 0.02 or greater, a second test will be performed immediately thereafter to confirm the results of the initial test. An

employee who has confirmed alcohol concentration of greater than 0.02 but less than 0.04 will be removed from his/her position for eight hours unless a retest results in a concentration measure of less than 0.02 (see table D-1 for appropriate disciplinary action).

POST INJURY AND POST-ACCIDENT TESTING

- (1) Employees who have engaged in unsafe work practices and who have caused and/or contributed to the occurrence of an on-the-job injury to himself/herself or another individual, or if significant damage to property occurred, will automatically be tested for substance abuse.
- (2) When an employee is involved in a chargeable accident and/or liability has yet to be determined, the employee will automatically be tested for substance abuse. Immediately following an accident, the supervisor or designee will transport employee from scene of accident to testing facilities.
- (3) Should the employee's behavior rise to the level of reasonable suspicion that would indicate the presence of alcohol or drugs:
 - (A) The employee shall be relieved of duty and placed on administrative leave, pending the results of the drug and alcohol test. The supervisor shall make appropriate arrangements to transport the employee home.
 - (B) When reasonable suspicion exists, a supervisor shall remain with the employee at all times until he/she is tested, and the employee then transported to his/her residence.
 - (C) It shall be the responsibility of the supervisor to determine if reasonable suspicion exists and to document the events.
 - (D) Anyone failing to comply with post injury and/or post-accident procedures will be subjected to the same sanctions as if the test had been positive.

V. TESTING PROCEDURES

- (1) Employees who are requested to submit to a drug or alcohol test(s) will be transported to a designated testing facility. The tests will be performed by an authorized laboratory, physician, and certified intoximeter operator and the test results will be released to a Human Resources Dept. designee. Human Resources will hold all results of these tests in the strictest confidence.
- (2) For Non-DOT (Non CDL) drug testing standards, please see "Attachment B-2."
- (3) All samples of body fluids provided in compliance with this policy shall be used only to test for the presence of drugs or alcohol.
- (4) Employees who refuse to be tested, fail to cooperate with test center personnel or who are identified, as having prohibited substances in their system will be suspended for 5 days without pay pending termination.
- (5) Employees have the right to challenge any positive drug result for legally prescribed drugs by having their case reviewed by the Medical Review Officer. Any expenses incurred for this review will be paid by the employee.
- (6) For positive drug tests employees are given the option of "split sampling" of urine specimens. Such requests must be made within 72 hours of notice of test results. The

incremental cost of this sampling will be at the employee's expense. If results are negative, employee will be reimbursed for expenses. All positive results from a drug test will be confirmed using the GC/MS test. (GC/MS stands for Gas Chromatography / Mass Spectrometry) (See "Attachment B-1 & B-2")

- (7) For positive drug tests, the Medical Review Officer (MRO) will offer individuals with positive results a reasonable opportunity to rebut or explain the results. Individuals with positive test results may also ask the MRO to have their split specimen tested at the individual's own expense. Such requests must be made within 72 hours of notice of test results. If the split specimen test fails to find evidence of drug use, the individual will be treated as passing the test. If the split specimen test is again positive, the MRO will confirm the test to be positive.
- (8) Required actions when drug test is out of temperature range: Employee will be allowed to retest when specimen is outside the normal temperature range. Test will be immediate while employee is still at drug testing site. Retest should be observed by testing facility personnel.
- (9) Required actions when drug tests results are Positive Dilute or Negative Dilute:
 - o A Positive Dilute drug test result will be considered a positive test.
 - o For a Negative Dilute drug test result, the employee will be directed to retest immediately without notice, under direct observation. In all cases a retest will be treated as the test of record. If a Negative Dilute retest is also Negative Dilute the results will be accepted as a negative result.
- (10) Required actions when drug test results involve adulteration or substitution:
 - o A specimen that is adulterated or substituted will be treated as a positive drug test.
- (11) Required actions when laboratory reports an "Invalid Result:" In consultation with the Medical Review Officer and HR Director, drug tests that return "Invalid Results" will have accompanying lab testing reviewed with the decision as to whether to repeat a collection to be determined with the aid of these lab results.
- (12) Action required when employee is taking prescription drugs: Employee may be interviewed by the Medical Review Officer (MRO) regarding any prescription drugs they have been prescribed. Employee should be prepared to present list of drugs they have been prescribed and are currently taking.
- (13) A refusal to comply with the Medical Review Officer during the review of confirmed positive, adulterated, substituted, or invalid test result will be treated as a positive test.
- (14) Any positive Breath Alcohol Test (BAT) is always confirmed with a second BAT; the positive results may be challenged by the employee by submitting to a third Breath Alcohol Test (BAT) within 15 minutes of the initial positive breath test.
- (15) The DOT's Drug and Alcohol Testing Regulation – 49CFR Part 40, at 40.151e - does not authorize "medical marijuana" under a state law to be a valid medical explanation for a transportation employee's positive drug test result. It is a violation of policy for any safety-sensitive employee subject to drug testing under DOT's drug testing regulations to use marijuana.
- (16) Where not specifically indicated in this policy, CCG drug and alcohol testing procedures follow DOT drug and alcohol testing guidelines.

**TABLE D-1
BREATH/BLOOD ALCOHOL TEST RESULTS AND REQUIRED ACTIONS**

CDL Employees	
Level of Alcohol Concentration	Action Required
Less than 0.02	Results are considered negative
0.02 to 0.039	Employee removed from his/her position for 8 hours and subject to appropriate disciplinary action up to and including termination. (scheduled work hours missed will be without pay)
0.04 or above	Five (5) day suspension without pay pending termination
Employees subject to DOT/FTA regulations may be held to higher standards	
Non-CDL Employees	
Level of Alcohol Concentration	Action Required
Less than 0.02	Results are considered negative
0.02 to 0.079	Employee removed from his/her position for 8 hours and subject to appropriate disciplinary action up to and including termination. (scheduled work hours missed will be without pay)
0.08 or above	Five (5) day suspension without pay pending termination

Right to Review Records: Columbus Consolidated Government’s Human Resources Department will provide a copy of test results upon written request to employees and candidates for hire who test positive for drugs or alcohol.

VI. DISCIPLINARY ACTIONS

In the following cases, employees will be suspended for five (5) days without pay and are subject to termination:

- (1) Selling drugs on or off the job.
- (2) A positive drug or alcohol (see table D-1) test.
- (3) A positive drug or alcohol test while on probation under the Columbus Consolidated Government Drug Testing Policy.
- (4) 2nd DUI offense within a 5-year period (nolo plea, guilty plea or conviction) *(including periods during & prior to employment) (Employees are required to present a copy of their current Motor Vehicle Report when reporting a DUI offense).*

- (5) DUI while operating a City vehicle.
- (6) Misdemeanor violations (nolo plea, guilty plea or conviction) involving use or possession of dangerous drugs or marijuana.
- (7) Felony violations of drug laws (nolo plea, guilty plea or conviction).

While dismissal from employment will occur in most cases, the following factors must be considered prior to taking any personnel action. The following guidelines shall apply:

- (A) Public Safety Personnel will be held to a higher standard.
- (B) Position within the Department (Supervisory personnel will be held to a higher standard).
- (C) Gravity of liability and workers' compensation exposure to Columbus Consolidated Government.
- (D) Prior violations of drug or alcohol laws.
- (E) Prior violations of the Columbus Consolidated Government Drug Policy.
- (F) Any other occurrences where the circumstances indicate termination may be required.

Strong, mitigating circumstances may provide an opportunity for disciplinary action other than dismissal. Exceptions to termination must be approved by the City Manager and will result in appropriate disciplinary action, which will include:

- (A) Mandatory referral to EAP, full compliance with EAP recommendations.
- (B) One (1) year probation.
- (C) Random testing monthly for up to two (2) years as directed by Human Resources.

Employees terminated under this policy may apply for re-employment after one year if otherwise qualified.

VII. CONFIDENTIALITY

All incidents and actions involving the Alcohol and Drug Free Workplace Policy will be handled with utmost confidentiality. All City personnel involved are expected to maintain the same level of confidentiality.

VIII. MANAGER AND SUPERVISOR GUIDELINES

Under no circumstances should any action relating to the alcohol and drug policy be made public unless authorized by the City Manager's Office with concurrence of the City Attorney. It must be realized by all involved that making statements of any kind in reference to the drug or alcohol tests, the employee, or any other circumstances surrounding the testing, or its result is limited by federal law. This is a sensitive issue and must be kept confidential. The improper release of information by unauthorized sources may be grounds for disciplinary action. Any request for information related to drug testing should be directed to the Human Resources Department. These guidelines are for use by managers and supervisors at all levels and in all departments. They are intended to aid in the administration of the Alcohol and Drug Free Workplace Policy.

- (1) The Columbus Consolidated Government encourages any employee who has a drug or alcohol problem to obtain assistance. Therefore, if such an employee has not been required to submit to a drug or alcohol test or who has tested negative but, who, in good faith, requests assistance for his/her problem, the employee shall be referred immediately to the employee assistance

program. This voluntary admission shall not be used against the employee; however, it may result in temporary job reassignment.

- (2) Each supervisor is responsible for taking appropriate action whenever an employee's demonstrated judgment or performance seems to be impaired by the possible use of alcohol or drugs. Supervisors who suspect that an employee is unfit for duty should:
 - (A) Arrange if practical, for at least one other supervisor to observe and evaluate the employee's behavior. The employee's supervisor should ask the employee to explain why he/she appears unable to perform the job duties. Supervisors should document all behavior, questions, responses, admissions, and witnesses.
 - (B) Should the employee fail to explain the impaired condition to the supervisor's satisfaction, and it is still the supervisor's determination that drugs or alcohol may be involved, the supervisor may, upon consultation with designated senior staff/management (see Section IV - Reasonable Suspicion) accompany the employee or make necessary arrangements for the employee to be taken by another supervisor to the designated lab, physician, or certified intoximeter operator for testing.
 - (C) If the employee refuses to go, the employee should be warned that he/she will be subject to disciplinary actions up to and including termination. Depending upon the employee's condition, the employee should be taken home and told when to report back to work. The supervisor shall then make a complete report of the incident to their Department Director.
- (3) Supervisors will document in writing all incidents, investigations, and actions regarding suspected drug or alcohol abuse. If disciplinary action occurs, a full report by the Department Director should be sent to the Human Resources Director and the Affirmative Action Administrator.
- (4) When a supervisor observes the manufacture, use, sale, dispensation, or possession of illegal drugs or alcoholic beverages by employees on the job, the supervisor should take the following steps:
 - (A) Inform Department Director and call the police. If incident occurs in the Government Center, call the Sheriff's Department.
 - (B) Separate all parties involved and take them to a location where they can be questioned by the police individually about the incident, in the presence of another supervisor. (Do not attempt to forcefully restrain or retain any employee or citizen)
 - (C) Report the incident to the immediate supervisor.
 - (D) Upon completing the pending investigation, take the employee home, if necessary.
 - (E) Following any incident that might fall under these guidelines, it is essential that the immediate supervisor make a detailed record of all actions, observations, statements, and other pertinent facts to include date, time, location, and witnesses to the incident. The supervisor should not record his/her opinion or conclusion (i.e., the employee appeared to be on drugs) but rather the supervisor should simply state his/her observations (i.e., the employee was hyperactive, argumentative, loud, obnoxious, sweating profusely, pupils were constricted, etc.). This report shall be forwarded to the Department Director and Human Resources Director.

- (5) If an employee is suspected of violating the City's Alcohol and Drug Free Workplace Policy, the supervisor shall document all available information regarding the incident and shall forward it to the Department Director and the Human Resources Director. Documentation shall include, but is not limited to:
 - (A) Suspected employee's full name
 - (B) Time(s) of observed drug or alcohol usage
 - (C) Frequency of use, if appropriate (i.e., occasionally, in the parking lot after work)
 - (D) Specific locations of use, such as in a specific building or vehicle
 - (E) Other participants or witnesses
 - (F) Any unusual behavior that would indicate that the observed individual was intoxicated or under the influence of a controlled substance.
- (6) The Police Department, Emergency Medical Service, Fire Department, Muscogee County Prison, Sheriff's Department, Marshals Office, METRA, and any person operating hazardous machinery or a vehicle in his/her official capacity shall be subject to additional rules and policies related to drug and alcohol testing, consistent with the general purposes of these rules. As specified by the various departments, such additional rules and policies may be more comprehensive due to the high levels of employee performance required, the public interest and visibility, and the responsibility for the protection of life and property.
- (7) Records of all drug/alcohol test analyses, observation records of supervisors, and any other administrative reports relating to drug and/or alcohol use or abuse by an individual employee shall be maintained in a separate locked file and available only to the Human Resources Director, his/her designee, or to persons who have an official "need to know" basis for requesting these documents. This information shall only be released on a need-to-know basis and is to be considered confidential.

IX. EMPLOYEE ASSISTANCE PROGRAM (EAP) STATEMENT

- (1) The Columbus Consolidated Government encourages any employee who has a drug or alcohol problem to obtain assistance. Therefore, if such an employee has not been required to submit to a drug or alcohol test or who has tested negative but, who, in good faith, requests assistance for his/her problem, the employee shall be referred immediately to the employee assistance program. After completion of substance abuse treatment program, employees who are returned to duty are subject to random follow-up testing for two years. The Human Resources Department in coordination with the Department Director will decide when testing occurs. This voluntary admission shall not be used against the employee; however, it may result in temporary job reassignment.
- (2) Confidentiality is assured - No information regarding the nature of the employee's personal problem will be made available to the supervisors nor will it be included in their permanent personnel file.
- (3) Self-Referral - Any employee may use available services by directly contacting the service. Self-referrals are both anonymous and completely confidential, and do not affect job security or promotional opportunities.

- (4) Supervisory or Management Referral - A supervisor may recommend an employee contact the EAP when there is a job performance or conduct problem which has not responded to ordinary supervisory techniques. Whether or not the employee decides to do so, it is the employee's responsibility to perform satisfactorily on the job; and if problems go unresolved and performance continues to deteriorate, disciplinary action may result. Participation in the EAP does not guarantee that these actions will not continue to occur, but improved performance often results from problem resolution.
- (5) Mandatory Referral - After a decision to refer the employee to the EAP has been made, the employee will review the City's policies for a drug and alcohol-free workplace, indicating that this is a "last chance" and failure to consent to enrollment or successfully complete the program may result in disciplinary actions, up to and including termination. Due to legal considerations the Human Resources Director or the Affirmative Action Administrator must be consulted when considering mandatory referral. Employee must sign consent and release form.

**COLUMBUS CONSOLIDATED GOVERNMENT
EMPLOYEE ASSISTANCE REFERRAL AGREEMENT**

This agreement is entered into by and between the Columbus Consolidated Government (hereinafter "the City") and _____ it's employee (hereinafter "Employee"), due to a positive test for prohibited drugs and/or alcohol and or the self-referral of the Employee.

The City agrees to not institute termination proceedings against the Employee, at this time, and agrees to the necessary paid sick leave and/or unpaid Family and Medical Leave, as available to attend the approved assistance/rehabilitation program. The employee's participation will be kept confidential and limited to a "need to know" basis, except where harm is being threatened to the employee or others. No referral of Employee's program(s) information will be made without a written release from the Employee.

The employee agrees to attend, participate and give full cooperation to the program and providers throughout the entire course of treatment, recovery and continuing care; to submit to scheduled or unscheduled drug and/or alcohol tests as may be required; to submit willingly to searches during work time of the Employee's person, locker, vehicle, packages, briefcase, lunch box, or other belongings; to sign a written consent form allowing designated City contacts to obtain information regarding the Employee's program attendance, progress and status as well as any medical or psychological evaluations; to allow contact with spouse or other family member(s) to work out the most appropriate program(s) or care: and, to give "good faith and best efforts" in any continuing job performance responsibilities during and after the completion of each phase of the approved program, until unconditional return to work.

THE FOLLOWING TERMS AND CONDITIONS APPLY:

- 1) Any failure to meet the above-agreed obligation will result in immediate termination, without recourse.
- 2) Any positive drug and/or alcohol test (unless cleared by prescription) will result in immediate termination without recourse.
- 3) Failure to complete the approved program(s) and entire course of treatment within the allotted time will result in immediate termination without recourse.
- 4) Health care benefits generally will apply; however, it is the Employee's responsibility to inquire, arrange for and make payments of personal portions of the cost of treatment - the City will do everything it can to arrange for a cost-effective and affordable program.
- 5) Entry into the program(s) constitutes reasonable suspicion for testing, the employee waives any rights to object to the imposition of drug and/or alcohol testing for a period of up to two (2) years after completion of the approved program(s) - Employee is subject to all the prevailing and then applicable rules and regulations of employment with the City.
- 6) The City will require, from time to time, direct discussion during work hours with the Employee on an as needed basis, Employee agrees to cooperate fully with the Supervisor and the Employee Assistance Program Coordinator.

SUPERVISOR REFERRAL: _____ DATE: _____

DEPARTMENT DIRECTOR: _____ DATE: _____

I have read and understand the above agreement, and I voluntarily agree to participate in the approved program(s) and fully realize that this last chance of any employment with the City depends on the proper completion of the program(s), my remaining drug and alcohol free, and properly performing my job duties. I understand that I will be terminated, without recourse, for violations of the above agreement and/or the terms and conditions of same.

EMPLOYEE SIGNATURE: _____ DATE: _____

“ATTACHMENT A”

(Contact Persons)

1. ***Random and Reasonable Suspicion***
Reather Hollowell, Director of Human Resources
Work # (706) 225-3631 Direct line
Work # (706) 653-4059
Cell # (706) 329-7035

2. ***Random and Reasonable Suspicion***
Sheila Risper, Assist. Human Resources Director/Affirmative Action Administrator
Work # (706) 225-3649 Direct line
Work # (706) 653-4059
Cell # (706) 329-3291

3. ***Post- Accident and Critical Incident***
Anne-Marie Amiel, Risk Manager, (706) 329-0256
Sherry Evans, Admin. Svc. Coord. (706) 326-1039
Reather Hollowell, HR Director, (706) 329-7035

4. Dr. Jack Sherrer
Occupational Medicine of Columbus
Designated Physician (MRO)
Post -Accident, Random, Reasonable Suspicion and Critical Incident
Work: (706) 221-1600
After hours: Cell: (762) 207-0007

“ATTACHMENT B-1”

(DOT/FTA (CDL) drug testing standards)

<u>Drug</u>	<u>Initial Screen Cutoff</u>	<u>GC/MS Cutoff</u>
Marijuana	50 ng/ml	15 ng/ml
Amphetamines	1000 ng/ml	500 ng/ml
Cocaine (Benzoyllecgonine)	300 ng/ml	150 ng/ml
Opioids	2000 ng/ml	2000 ng/ml
Phencyclidine	25 ng/ml	25 ng/ml

“ATTACHMENT B-2”

(Non-DOT (Non-CDL) drug testing standards)

<u>Drug</u>	<u>Initial Screen Cutoff</u>	<u>GC/MS Cutoff</u>
Marijuana	50 ng/ml	15 ng/ml
Amphetamines	1000 ng/ml	500 ng/ml
Cocaine (Benzoyllecgonine)	300 ng/ml	150 ng/ml
Opiates	2000 ng/ml	2000 ng/ml
Phencyclidine	25 ng/ml	25 ng/ml
Barbiturates	300 ng/ml	200 ng/ml
Benzodiazepines	300 ng/ml	200 ng/ml
Propoxyphene	300 ng/ml	200 ng/ml
Methadone	300 ng/ml	200 ng/ml
Methaqualone	300 ng/ml	200 ng/ml

“ATTACHMENT C”

(Drug Testing Facilities, times & locations)

OCCUPATIONAL MEDICINE OF COLUMBUS

7301 Northlake Drive, Columbus, Georgia 31909 (706) 221-1600

(RANDOM, POST-ACCIDENT & REASONABLE SUSPICION)

MONDAY - THURSDAY	7:30 AM - 5:00 PM	OFFICE 706-221-1600
FRIDAY	7:30 AM - 3:00 PM	
AFTER HOURS/WEEKEND		Cell: (762) 207-0007

AFTER HOUR DRUG AND ALCOHOL TESTING PROCEDURES

Scheduling

1. Supervisor, Department Director, RM Investigator, or 911 Operator will call the on-call drug testing designee at one of the numbers listed above.
2. The drug testing designee will establish the place and time of collection.
3. The place of collection can be either at 7301 Northlake Drive or Columbus Consolidated Government location (CCG).
4. A supervisor or Department Director from CCG must also be present during the collection process.

Drug Testing

1. Unless otherwise specified the drug test to be performed will be a Quick Screen 5 panel, which test for: Marijuana, Cocaine, Ecstasy, Amphetamines and Opiates. This is an instant test, which will provide results within 2 minutes.
2. All CDL licensed drivers will be given a Federal DOT drug test (NO QUICK SCREENS).
3. All tests that are non-negative or inconclusive will be sent to a certified laboratory for further testing.
4. Results from the laboratory will be reported within a 24–48-hour period.

Alcohol Testing

1. Unless otherwise specified the alcohol test to be performed will be a Breath Alcohol Test (BAT) or saliva alcohol test.
2. All tests that are positive will be confirmed utilizing a Breath Alcohol test (BAT).

Reporting

1. All drug test results will be reported to designated personnel in Human Resources, 706-653-4059, during normal business hours. After hour reporting see Attachment “A”.
2. The reporting of negative drug and alcohol tests will be provided to the Supervisor and/or Department Director at the time of the test by Human Resources Dept.
3. Post-Accident and critical incident drug testing will be reported to the Human Resources Department Designee, 706-653-4059.

ACUTE CARE EMERGENCE (ACE) CAN ONLY BE USED WHEN OCCUPATIONAL MEDICINE IS UNAVAILABLE FOR AFTER HOURS/WEEKENDS/HOLIDAYS

ACE

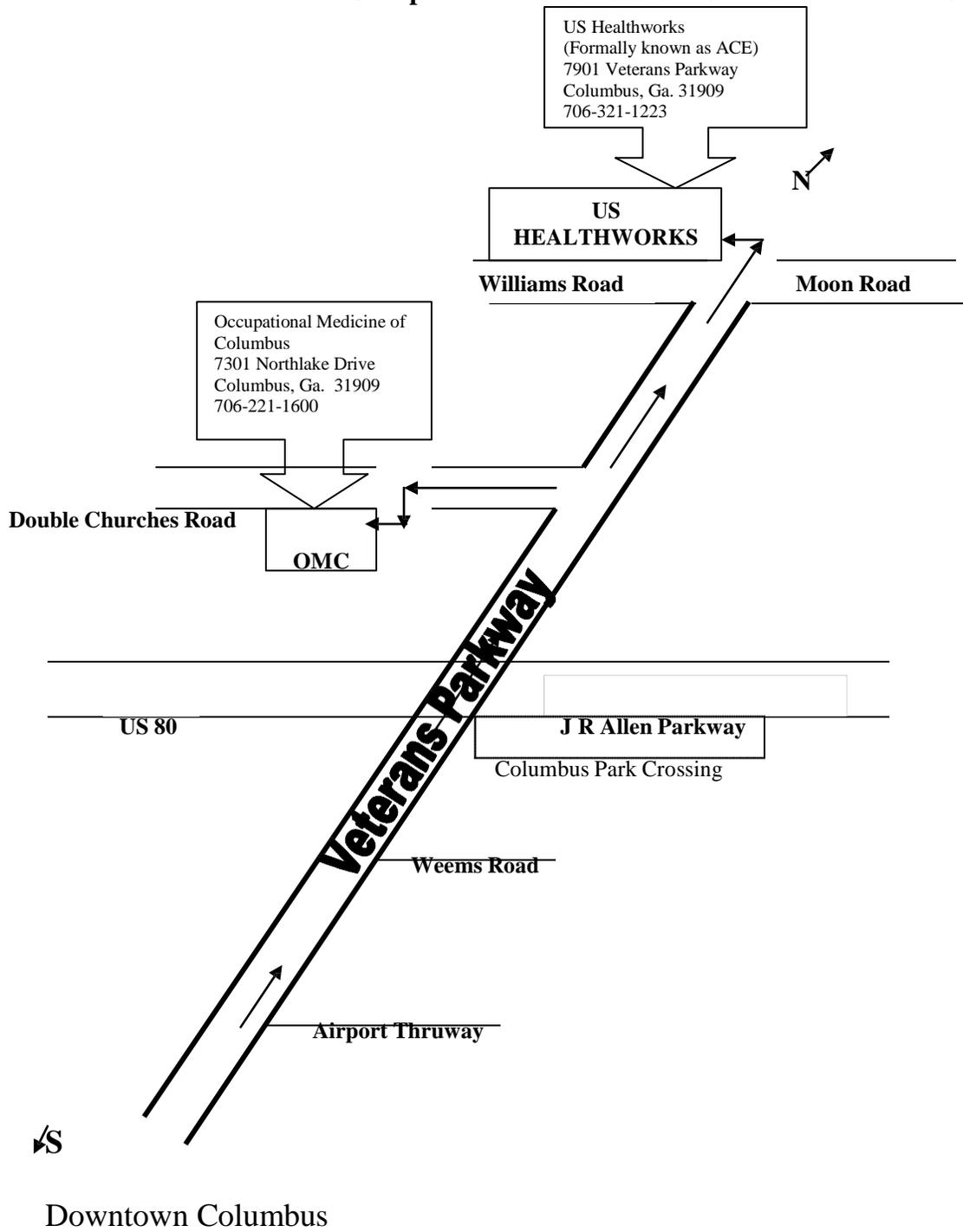
7901 Veterans Parkway, Columbus, Georgia 31909 (706) 706-221-6800

(POST-ACCIDENT & REASONABLE SUSPICION ONLY)

MONDAY – FRIDAY	5:00 PM – 7:00 PM
WEEKENDS & HOLIDAY	9:00 AM – 2:00 PM

ALL ACCIDENTS WITH INJURIES REQUIRING TRANSPORT TO A HOSPITAL, AT THAT TIME, WILL HAVE A POST-ACCIDENT DRUG /ALCOHOL SCREEN AT THAT FACILITY.

Directions to Occupational Medicine and ACE from downtown Columbus



C
C
G

NAME (PLEASE PRINT)

DEPT

SOCIAL SECURITY NUMBER

I CERTIFY THAT I HAVE ATTENDED THE EMPLOYEE ORIENTATION COURSE GIVEN ON THE COLUMBUS CONSOLIDATED GOVERNMENT'S ALCOHOL AND DRUG FREE WORKPLACE POLICY.

I ALSO CERTIFY THAT I HAVE RECEIVED A PERSONAL COPY OF THESE POLICIES.

SIGNATURE

DATE

**WARNING!!!
PLEASE CAREFULLY REMOVE THIS SHEET AND GIVE TO THE PERSON CONDUCTING THE ORIENTATION. FAILURE TO DO SO WILL RESULT IN YOUR HAVING TO ATTEND ANOTHER ORIENTATION SESSION.**