City of Sidney
Montana's Sunrise City
115 2nd Street S.E., Sidney, Montana - 406-433-2809

DRUG AND ALCOHOL TESTING POLICY

Policy Purpose

The City of Sidney is committed to maintaining a safe, healthy, productive, and drug-free workplace. Employees who perform safety-sensitive duties or who operate commercial vehicles present significant risk to public safety and City operations if impaired. This policy establishes drug and alcohol testing requirements for employees in designated positions and supplements the City Employee Handbook.

Covered Employees

DOT / CDL-Regulated Employees

The following employees are subject to testing under applicable U.S. Department of Transportation (DOT), Federal Motor Carrier Safety Administration (FMCSA), Montana CDL, and related regulations:

- Employees required to maintain a Commercial Driver's License (CDL) as a condition of employment
- Employees operating CDL-regulated commercial motor vehicles
- Mechanics or other employees who road-test CDL-regulated vehicles
- Any other employee whose duties subject them to DOT/FMCSA testing requirements by law

Non-DOT Safety-Sensitive Employees

The following employees are designated safety-sensitive and are subject to testing under this policy:

- Sworn Police Officers
- Heavy Equipment Operators
- Water/Wastewater Operators
- Employees required to enter confined spaces or hazardous environments
- Fire Marshal
- Employees who regularly operate City-owned vehicles as part of their assigned job duties
- Employees who operate powered machinery or motorized equipment, including but not limited to lawn mowers, skid steers, forklifts, utility vehicles, tractors, and similar equipment
- Other employees designated by the City based on job duties involving public safety, hazardous operations, or substantial risk of harm

Types of Testing

Covered employees may be subject to the following testing:

1. Pre-Employment Testing
2. Random Testing
3. Reasonable Suspicion Testing
4. Post-Accident Testing
5. Return-to-Duty Testing
6. Follow-Up Testing
7. Testing Required by Federal or State Law

Pre-Employment Testing

All applicants offered employment in covered positions must successfully pass a drug test before beginning work.

Employment offers for covered positions are contingent upon successful completion of testing.

Random Testing

Employees in covered positions may be subject to unannounced random drug and/or alcohol testing.

- DOT-regulated employees shall be tested at rates required by federal law.
- Non-DOT safety-sensitive employees may be randomly tested at rates established by the City.
- Random selections shall be made through a neutral selection process.

Reasonable Suspicion Testing

The City may require testing when a supervisor or Department Head reasonably believes an employee is impaired while on duty based on specific, contemporaneous observations concerning:

- Appearance
- Behavior
- Speech
- Odor
- Motor coordination
- Other objective indicators of impairment

Whenever practicable, reasonable suspicion determinations should be corroborated by a second supervisor.

Post-Accident Testing

Testing may be required following a workplace accident, vehicle accident, injury, near miss, or property damage incident when:

- The employee's actions may have contributed to the incident; or
- Testing is required by DOT/state regulations; or
- Management determines testing is appropriate based on the circumstances.

Return-to-Duty / Follow-Up Testing

Employees permitted to return to work following a policy violation, rehabilitation, or treatment may be required to:

- Pass a return-to-duty test; and
- Submit to unannounced follow-up testing for a period determined by the City or required by law.

Nothing in this policy obligates the City to permit return to duty after a violation.

Prescription, Over-the-Counter, and Other Substances

Employees are prohibited from reporting to work impaired by:

- Prescription medications
- Over-the-counter medications
- Marijuana
- Alcohol
- Kratom
- Unregulated intoxicating substances
- Toxic substances
- Any other substance that impairs safe or effective job performance

Employees must notify their supervisor if prescribed medication may impair performance or safety.

Refusal to Test

The following constitute refusal to test:

- Failure to report for testing
- Failure to provide a specimen
- Adulterating or substituting a specimen

- Refusal to sign required testing forms
- Failure to cooperate with testing personnel
- Leaving the testing site before completion
- Any conduct deemed a refusal under DOT regulations

Refusal to test shall be treated as a policy violation and grounds for discipline up to and including immediate termination.

Consequences of Positive Test / Policy Violation

Violation of this policy may result in:

- Removal from duty
- Disciplinary action up to and including termination
- Mandatory referral to substance abuse treatment
- Disqualification from safety-sensitive duties
- Other action permitted by law

DOT-regulated employees shall be subject to all federally required procedures and consequences.

Administration

Department Heads are responsible for administering this policy for covered employees within their departments.

The City may utilize third-party administrators, occupational health providers, consortiums, or collection sites to facilitate testing.

Testing shall be conducted in accordance with applicable federal/state laws and chain-of-custody requirements.

Confidentiality

Testing records and results shall be maintained confidentially and separately from personnel files, except as disclosure is permitted or required by law.

Regulatory Compliance

To the extent any provision of this policy conflicts with mandatory U.S. Department of Transportation (DOT), Federal Motor Carrier Safety Administration (FMCSA), Montana CDL, or other applicable federal or state regulatory requirements, the applicable law or regulation shall control and supersede this policy.

APPENDIX – DRUG AND ALCOHOL TESTING POLICY ACKNOWLEDGMENT

I acknowledge that I have received, read, and understand the City of Sidney Drug and Alcohol Testing Policy.

I understand that if my position is designated as DOT-regulated, CDL-required, safety-sensitive, or otherwise subject to testing, I may be required to submit to drug and/or alcohol testing as a condition of employment and continued employment.

I understand that refusal to comply with testing requirements or violation of this policy may result in disciplinary action up to and including termination.

Employee Name: _____

Position: _____

Department: _____

Employee Signature: _____ Date: _____

Witness/Supervisor: _____ Date: _____