


Grant County Personnel Policy

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LAST REVISED: 07/25/17	CONTACT: Human Resources

516 – Drugs and Alcohol

516.1 Specifics

516.1.1 Grant County prohibits the presence and use of alcohol and/or controlled substances during work hours and/or on work premises. Grant County reserves the right to screen or test employees to determine the presence of alcohol and/or controlled substances.

516.1.2 While the County does not condone the abuse of alcohol, prescription drugs, and/or use of illegal drugs, Grant County does recognize that addiction to drugs and/or alcohol can be treated. If an employee recognizes a personal addiction or abuse problem and seeks assistance from management in advance of detection, the County will assist the employee in seeking treatment through the Employee Assistance Program (EAP). The confidential nature of the employee's counseling and rehabilitation for drug and/or alcohol abuse will be preserved to the extent required by law.

516.2 Prohibitions/Violations

516.2.1 The unauthorized use, sale, transfer or possession of alcohol, drugs, controlled substances and/or "mood altering" substances (except possession or use of prescribed medication, verifiable by a current, properly issued prescription) during work hours, on County property, in County vehicles, or in personal vehicles while conducting County business is prohibited. Violation of this section is just and sufficient cause for immediate termination of employment.

516.2.2 Employees may not report to work, or remain at work, while under the influence of either a controlled substance or while impaired by the use of alcohol.

516.3 Use of Prescription and/or 'Over the Counter' Medications

516.3.1 Use of prescribed and/or "over-the-counter" medications that adversely affect job safety or performance must be immediately reported to the employee's supervisor.

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- (a) In the event the employee does notify the supervisor immediately upon reporting to work, and does not immediately submit a physician's release, the supervisor will determine if the employee is able to effectively perform the employee's duties and may decline to permit the employee to work until the effects of the medication subside to an acceptable level.
- (b) In cases where the employee is instructed by the supervisor to remain off work due to the possible side effects of over-the-counter or prescription medication, the employee may use accrued sick leave in accordance with the County's sick leave policy.

516.4 Self-Recognized Substance Abuse. Employees with a substance abuse problem can immediately notify their supervisor of their condition without fear of termination. A substance abuse test and/or evaluation may be required. If, in the opinion of a qualified drug/alcohol counselor, the employee requires rehabilitation services and or treatment, the employee will have an option to enroll in a rehabilitation program. Any employee who complies with the above requirements prior to a violation of this policy shall immediately be granted leave in order to undergo treatment. Should the employee not have sufficient sick leave, leave without pay may be granted.

516.5 Substance Abuse Testing

516.5.1 Substance abuse testing procedures may be initiated if:

- (a) Management personnel conclude, through objective observation, investigation, or evaluation that an employee is under the influence or impaired by the use of alcohol, drugs and/or controlled substances; or
- (b) An employee is involved in any accident, requiring medical attention or property damage, due to the action, inaction or inattention of the employee.

516.6 Substance Abuse Testing Procedures

- 516.6.1 The employer will transport the suspected employee to a pre-determined testing facility.
- 516.6.2 The employee will be requested to submit to the testing procedures. The employee has the right to refuse to submit to the tests; however, failure to submit to the tests will be grounds for termination.

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516.6.3 The employee will provide a urine sample, a blood sample or a breath sample. The urine sample will be provided for analysis to determine the amount, if any, contained in the employee's urine of all substances listed below. The blood or breath sample will be provided for analysis to determine the amount, if any, of ethyl alcohol contained in the employee's blood or breath. The blood and urine samples will be analyzed by QCL, Inc., the contracted provider for such services. The breath sample will be analyzed by certified law enforcement personnel or medical facility.

516.6.4 Collection of the specimens will be under the direction of qualified medical or law enforcement personnel. Collection of the specimens will take place as soon as possible following the observation, accident or incident. The employee will cooperate fully in the collection of the specimens. Employee tampering with the specimens or refusal to submit to the test within a reasonable period of time will result in termination of employment. If the employee is physically unable to provide a urine sample, the blood sample will be analyzed by the laboratory to determine if any of the substances listed below are present in the employee's blood. However, within twenty-four (24) hours following the drawing of the blood sample, the employee will submit to a urine test. If the employee fails to provide the urine sample within a twenty-four (24) hour time frame, that action will result in disciplinary action, up to and including termination of employment.

516.6.5 After collection of the specimen(s), the employee will be transported to the employee's residence or other safe location. The employee may be suspended from work with pay until the test results become available and are evaluated.

516.6.6 All specimens will be forwarded to QCL, Inc. for analysis. Strict adherence to the chain of custody requirements will be followed during the transportation of the specimen to the laboratory. The laboratory will analyze the specimen(s) for the substances listed herein. The laboratory will perform initial screening, and if positive results occur, conduct confirmatory tests on the specimen. The confirmatory test shall be the gas chromatography-mass spectrometry (GC/MS) test.

516.6.7 Levels: The following cutoff levels shall conform to current DOT standards and shall be used for the initial screening of specimens to determine whether they are negative for these drugs or classes of drugs:

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	<u>Test Level</u> <u>(ng/ml)</u>
Amphetamines	1000
Barbiturates	300
Benzodiazepines	300
Cannabinoids	100
Cocaine metabolites	300
Methadone	300
Methaqualone	300
Opiates (Codeine)	300
Opiates (Morphine)	300
Phencyclidine (PCP)	25
Propoxyphene	300
For general purposes and CDL:	
Level of the positive result for ethyl alcohol	0.01 gr/dl
For liability purposes	
Level of the positive result for ethyl alcohol	0.01 gr/dl
(a) This paragraph pertains to drug test levels because there is no confirmatory GC/MS technique for confirming alcohol. All specimens for drugs identified as positive on the initial screening shall be confirmed by GC/MS techniques at cutoff levels under the rules of the Department of Transportation (DOT), 49 CFR, Part 40, Section 40.29(F) and any amendments thereto, as well as regulatory rules and regulations.	
(b) Any employee violates the alcohol part of this policy if he/she has an alcohol level of 0.01. These levels are based on results from any blood, breath and/or urine specimen testing.	
(c) The information is needed by medical personnel for the diagnosis or treatment of a patient who is unable to authorize disclosure;	
516.6.10	All costs associated with substance abuse testing, other than an independent analysis requested by the employee, will be paid by the County.
516.6.11	Should analysis of the specimen(s) indicate a negative level of a substance in an employee's system, the employee will be reinstated to the employee's former position.
516.6.12	Should analysis of the specimens indicate a positive level of a substance in an employee's system, the County will have the following options:

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- (a) Termination of the employee; or
- (b) Provide the employee an opportunity to enter into a Last Chance Agreement. Included in the Last Chance Agreement, the employee will be evaluated by a qualified drug/alcohol counselor to determine the extent of the employee's chemical dependency. If, in the opinion of the counselor, the employee requires rehabilitation services, the employee will be placed on a non-paid leave-of-absence for a period not to exceed ninety (90) days and enroll in and complete a certified alcohol and/or drug rehabilitation program. An employee may use accumulated sick leave or annual leave during this ninety (90) day period. If the employee successfully enrolls and completes the program within ninety (90) days, the employee will be reinstated to his/her former position. The County reserves the right of concurrence on the selection of the rehabilitation counselor, facility and program content. Cost of the rehabilitation program will be paid by the employee or medical insurance provider (within contractual limitation). The employee will submit semi-weekly written progress reports from the employee's counselor during the entire treatment program. The employee will be reinstated to the employee's former position when the following conditions have been met:
 - (1) The employee has successfully completed the treatment program; and
 - (2) The attending counselor has formally released the employee to return to work; and
 - (3) The employee agrees to submit to a substance abuse test.
 - (4) During the next twelve (12) months following reinstatement, the employee consents to be tested for the presence of alcohol, drugs and/or controlled substances at any time, with or without cause. Any subsequent violation of this Last Chance Agreement will be grounds for immediate termination.

516.7 Employer Conducted Searches. The County reserves the right to conduct searches of County property, vehicles, or equipment at any time or place. Failure to cooperate with these procedures, without just cause, will be grounds for termination of employment.

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