

CITY OF TREASURE ISLAND DRUG-FREE WORKPLACE POLICY

In the interest of safety, the City of Treasure Island requires, as a condition of continued employment, that employees refrain from substance abuse both on and off the job.

What Is Substance Abuse?

Substance abuse includes, but is not limited to, the consumption by any means of any legal or illegal substance that alters an individual's normal behavior and results in intoxication and/or renders the employee incapable of safe/efficient job performance. Abuse shall also be considered offering for sale, selling, trading, giving away, possession of alcohol or illegal drugs (or prescription drugs not prescribed for you), on City property, while operating a City vehicle on or off City property, or operating a personal vehicle while on City business or any of the above at a designated work site.

The substance abuse testing program includes the following:

1. Pre-employment;
2. Reasonable suspicion of substance abuse;
3. Following on-the-job accidents resulting in personal injury or significant property damage; *Note: employees may not use alcohol for eight (8) hours following an accident or until the post-accident alcohol test is conducted, whichever comes first.*
4. Fitness for duty medical examinations;
5. Employees participating in a substance abuse rehabilitation program (subject to quarterly testing during and for a period of two years after completion of program);
6. Random testing

The testing performed will analyze a breath, urine or blood specimen for the presence of any of the following substances or a metabolite of the substance:

1. Alcohol - Ethyl alcohol as a beverage or as part of a medication;
2. Marijuana - Cannabinoids, THC;
3. Cocaine;
4. Methadone - Dolophine, Methadose;
5. Barbiturates - Nembutal, Tuinal, Seconal, etc.;
6. Amphetamines - Desoxyn, Biphedamine, Dexedrine, etc.;
7. Methaqualone - Quaaludes;
8. Opiates - Codeine, Percodan, Paregoric, Morphine, etc.;
9. Propoxyphene - Darvon, Dolene, etc.;
10. Phencyclidine - (PCP);
11. Benzodiazepines - Librium, Valium, Xanax, Serax, Halcyon, etc.

Testing may also include designer drugs or other abused substances as added by federal or Florida Statutes.

Levels of detection for a positive drug result for screening and confirmatory tests will be those established by the United States Department of Health and Human Services for the *Federal Guidelines on Drug Testing*.

These test levels, subject to change as advances in technology or other considerations may permit, are currently:

Drug Class	Initial Test Level (Ng/MI)	GC/MS Confirmatory Test Level (Ng/MI)
Amphetamines	1,000	500
Barbiturates	300	200
Benzodiazepines	300	200
Cocaine Metabolites	300	150
Marijuana Metabolites	50	15
Methadone	300	200
Methaqualone	300	200
Opiate Metabolites	300	300
Phencyclidine	25	25
Propoxyphene	300	100

Alcohol testing will be conducted using evidential breath-testing devices approved by the National Highway Transportation Safety Administration. Two breath tests are required to determine if an employee has a prohibited alcohol concentration. A screening test is conducted first. A confirmation test must be conducted if the screening test detects any alcohol. **A confirmed result indicating a blood alcohol concentration of .02 or greater will be considered a positive test.**

A list of the most common drugs or medications by brand name, common name, as well as chemical name, which may alter or affect a drug test is available to all job applicants and employees at the time of testing.

A form will be provided for employees or job applicants to voluntarily and confidentially report to a **Medical Review Officer, Dr. Waldrep, 727-526-3627**, the use of prescription or non-prescription medications both before and after being tested. Providing this information shall not preclude the administration of the drug test, but shall be taken into account in interpreting any confirmed positive test result. Positive drug reports will be verified as not resulting from use of legal prescriptions.

Specific confirmation testing will be performed for all positive test results. Employees testing positive for prescription drugs that are commonly abused must produce evidence from their attending physician to justify the treatment necessity for use of the drug(s). Within five working days after receipt of a confirmed positive test result from the Medical Review Officer, the employer shall inform the employee or job applicant in

writing of such confirmed positive test results, the consequences of such results, and the options to the employee or job applicant.

The employer is responsible for testing costs, except for test costs that are involved with an employee or job applicant who challenges the initial test results.

Reasonable Suspicion Testing

Any employee reporting to work who demonstrates impaired conduct considered unsafe for the performance of his/her job duties or if an employee becomes similarly impaired on the job, will be observed and/or interviewed by a supervisor to determine the cause of the irregular behavior.

If the supervisor concludes that the irregular behavior is unsafe, the employee will not be allowed to continue working and shall be transported to a medical facility for drug testing. Alcohol testing will normally be performed by qualified personnel from the Treasure Island Police Department. The employee will not be allowed to drive any City vehicle.

Reasonable suspicion testing shall also be conducted when there is:

1. Observable phenomena while at work, such as direct observation of drug use or of the physical symptoms or manifestations of being under the influence of a drug or alcohol; odor of alcohol on the breath.
2. Abnormal conduct or erratic behavior while at work or a significant deterioration in work performance;
3. A report of drug use, provided by a reliable and credible source; A report of alcohol use within a time period prior to reporting for duty that would cause one to reasonably expect that alcohol would be detected by intoxilyzer testing.
4. Evidence that an individual has tampered with a drug test during his employment;
5. Information that an employee has caused, contributed to, or been involved in an accident while at work;
6. Evidence that an employee has used, possessed, sold, solicited, or transferred drugs while working or while on the employer's premises or while operating the employer's vehicle, machinery or equipment.
7. Evidence that an employee has been arrested and charged with use, possession, or sale of illegal drugs or a controlled substance, whether on or off the job.

Supervisors will document their observations and conduct an employee interview. Final disposition of the incident will be documented with the signatures of the supervisors/department heads, and dated.

A copy of the Confidential Supervisor's Incident Report will be provided for the employee with the employee's signature of receipt.

This Confidential Supervisor's Incident Report will be retained by the employer for a period of at least one year.

Random Testing

The following employees are subject to random testing for substance abuse at any time during working hours:

- ❑ Employees whose job requires them to operate any city vehicle or use their own vehicle for city business.
- ❑ Employees whose job requires them to operate machinery or heavy equipment.
- ❑ Employees in public safety occupations such as police officer, firefighter, or emergency medical personnel.

The selection of employees for random alcohol and controlled substances testing shall be made by a scientifically valid method, such as a random number table of a computer-based random number generator that is matched with an identifying number. Under the selection process used, each employee shall have an equal chance of being tested each time selections are made. There is no limit to the number of times any employee may be tested. The minimum annual percentage rate for random controlled substances testing shall be 50 percent of the average number of employees.

Consequences of Positive Test or Test Refusal

Refusal or failure to submit to testing, or a confirmed positive test result following an on the job accident or injury, shall disqualify an employee from workers' compensation benefits.

Confirmed positive test results shall eliminate applicants from employment consideration. Failure to participate in random, reasonable suspicion, pre-employment, fitness for duty or other City designated drug or alcohol testing shall result in termination of employment. Any employee with a confirmed positive test result shall be terminated from employment.

Refusal or failure to submit to testing following an on-the-job accident shall result in termination of employment.

In the event that an employee informs the employer in writing of employee's abuse of alcohol/drugs prior to reporting for duty and prior to being notified to report for testing, no disciplinary action shall be taken against the employee ; provided, the employee signs a rehabilitation agreement and enrolls in an approved rehabilitation/treatment program. Sick leave and/or vacation may be utilized for rehabilitation and treatment. If sick leave

and vacation credits have been exhausted, the employee may request leave of absence, without pay. No employee will be granted more than one such rehabilitation opportunity.

Other Grounds for Termination

An employee bringing onto the City's premises or job sites; having possession of; being under the influence of; possessing in the employee's body, blood or urine (at levels exceeding or equal to established cut off levels, or using, consuming, transporting, selling or attempting to sell, giving away any illegal drugs (including prescription drugs illegally obtained or prescribed for the individual only), or alcohol, at any time is guilty of misconduct and shall be discharged.

Challenging Test Results

An employee may challenge a confirmed positive test result by submitting an explanation, in writing, to the Personnel Department concerning personal circumstances that might have affected the results and explaining why the result does not constitute a violation of the employer's policy. This challenge must be submitted within five working days following the employee notification of a confirmed positive test result. The donor of a tested specimen will be responsible for providing all necessary documentation, (i.e., a doctor's report), signed prescription or current prescription container with relevant information and other related supporting documents.

The employer will, within fifteen days of receipt of the employee's written explanation or challenge of confirmed positive test results, provide a written explanation to the employee as to why the employee's explanation is unsatisfactory, along with a copy of the confirmed positive test results. All such documentation shall be kept confidential by the employer and shall be retained by the employer for at least one year.

Any employee or job applicant who receives a confirmed positive test result may contest or explain the results to the employer's Medical Review Officer within five working days after receiving written notification of the confirmed positive test result. If an employee or job applicant's explanation or challenge is unsatisfactory to the Medical Review Officer, the Medical Review Officer will report a positive test result back to the employer.

The employee or job applicant desiring to challenge a confirmed positive drug test result will be responsible for notifying the original testing laboratory of an alternate HRS licensed laboratory, for the purpose of transferring, under Chain of Custody, a portion of the employee or job applicant's specimen for re-testing. The employee may have a portion of their original specimen re-tested during a period of 180 days following written notice of a positive test result. When an employee challenges the result of a confirmed positive test it shall be the employee's responsibility to notify the laboratory and the sample shall be retained by the laboratory until the case is settled.

Concerning denials of workers' compensation benefits due to a positive test result, an employee may undertake an administrative challenge by filing a claim for benefits with a

Judge of Compensation Claims. Other challenges of a confirmed positive test result, not involving work place injuries, must be filed in a court of competent jurisdiction.

Employees or job applicants may consult with the Medical Review Officer for technical information regarding prescription or non-prescription medications that may affect test results.

Job applicants or employees whose drug test results are confirmed positive shall not, by virtue of the result alone, be defined as having a "handicap."

Confidentiality of Information

All drug test information, reasonable suspicion reports, or other related information concerning an individual will remain confidential and will not be disclosed except for conditions described in Florida Statutes.

Release of such information under any circumstances other than those described in Florida Statutes, will be solely pursuant to a written consent, voluntarily signed by the person tested.

Governmental Compliance

This Drug Free Work Place Policy satisfies requirements under Florida Statutes and administrative rules of the Department of Labor and Employment Security, Division of Workers' Compensation.

Getting Help

Employee assistance with substance abuse and other personal problems is available 24 hours a day from Care24 at 1-877- 365-7950

Calls to Care 24 counselors about substance abuse are confidential.

If you or a family member has a substance abuse problem, you are encouraged to call and get confidential help now.

Waiting until you test positive at work is too late!

Administrative Policy 14 City of Treasure Island Policy on Alcohol

The purpose of this policy is to provide more in-depth guidance on alcohol as it relates to city employment than is currently available in the City's Drug-Free Workplace Policy.

City employees will not purchase, consume, nor be in possession of alcoholic beverages while on duty, including break and lunch periods, overtime, and while working special events. Nor will employees report for work under the influence or have the odor of alcohol on their breath while on duty. Employees suspected of using or being under the influence of alcohol while on duty will be subject to undergoing a breathalyzer examination administered by the City Police Department. In accord with the City's Drug-Free Workplace Policy, a confirmed positive test will result in termination of employment.

City employees will not drink while off duty in a city uniform or while wearing any sort of ID badge or name tag that identifies you as a city employee.

An exception to this policy is made for civilian city employees who are invited to attend off-duty functions that are sponsored by the City Commission or a recognized civic association at which alcohol is served --such as the annual volunteer appreciation reception.

This exception does not apply to uniformed law enforcement or fire service personnel.

At the invited civilian employee's option, alcohol may be consumed in moderation. For most individuals that means no more than one drink per hour. If driving, you should strongly consider not drinking at all. Impairment begins with your first drink and driving skills are affected enough to incur possible criminal charges at .04% BAC (Blood Alcohol Concentration). You are presumed DUI at the state legal limit of .08% BAC. Alcohol affects individuals differently. Your blood alcohol level may be affected by your age, weight, gender, physical condition, amount of food consumed and any drugs or medication. In addition, different drinks may contain different amounts of alcohol, so it's important to know how much and the concentration of alcohol you consume. The following charts may provide further guidance.

Ralph Stone, City Manager

January 25, 2005

For purposes of this guide, "one drink" is equal to 1.5 oz. of 80 proof liquor, 12 oz. of regular beer, or 5 oz. of table wine.

Men										
	Approximate Blood Alcohol Percentage									
Drinks	Body Weight in Pounds									
	100	120	140	160	180	200	220	240		
0	.00	.00	.00	.00	.00	.00	.00	.00	.00	Only Safe Driving Limit
1	.04	.03	.03	.02	.02	.02	.02	.02	.02	Impairment Begins
2	.08	.06	.05	.05	.04	.04	.03	.03	.03	Driving Skills Affected Possible Criminal Penalties DUI
3	.11	.09	.08	.07	.06	.06	.05	.05		
4	.15	.12	.11	.09	.08	.08	.07	.06		
5	.19	.16	.13	.12	.11	.09	.09	.08		
6	.23	.19	.16	.14	.13	.11	.10	.09		
Your body can get rid of one drink per hour. One drink is 1.5 oz. of 80 proof liquor, 12 oz. of beer, or 5 oz. of table wine.										

Women										
	Approximate Blood Alcohol Percentage									
Drinks	Body Weight in Pounds									
	90	100	120	140	160	180	200	220	240	
0	.00	.00	.00	.00	.00	.00	.00	.00	.00	Only Safe Driving Limit
1	.05	.05	.04	.03	.03	.03	.02	.02	.02	Impairment Begins
2	.10	.09	.08	.07	.06	.05	.05	.04	.04	Driving Skills Affected Possible Criminal Penalties DUI
3	.15	.14	.11	.10	.09	.08	.07	.06	.06	
4	.20	.18	.15	.13	.11	.10	.09	.08	.08	
5	.25	.23	.19	.16	.14	.13	.11	.10	.09	

Your body can get rid of one drink per hour.
One drink is 1.25 oz. of 80 proof liquor, 12 oz. of beer, or 5 oz. of table wine.