

#### Pre-Employment/Pre-Placement

The County will make all offers of employment subject to the result(s) of a drug test. Applicants will be required to voluntarily submit ~~a drug screening at the County's request to urinalysis testing and sign a consent agreement that will release the County from liability~~. Pre-employment ~~physicals and~~ drug screenings must be done prior to the employees first day of employment.

Formatted: Font color: Red, Strikethrough

Formatted: Font color: Red, Strikethrough

Formatted: Font color: Red

#### Random Testing

Employees of the County who are employed in safety sensitive positions and employees or citizens could be placed in jeopardy by an employee's use of drugs or alcohol. For the safety and health of the County employees and the individuals with whom they serve, employees are subject to random, unannounced drug and/or alcohol tests. The rate of random selection for drugs and alcohol will be a percentage of the annual average employee base. Every employee has an equal chance of being chosen every time a random selection is made.

#### Reasonable Cause

Employees will be asked to submit to a drug and/or alcohol test if reasonable cause exists to suggest that the employee's health or ability to perform expected job duties is impaired. Reasonable cause will exist when an employee's appearance, behavior, speech, or body odors indicate drug and/or alcohol use.

#### Post Accident

Any employee involved in an on-the-job accident or injury under circumstances that suggest possible use or influence of drugs or alcohol in the accident or injury may be asked to submit to a drug and/or alcohol test. "Involved in an on-the-job accident or injury" means not only the one who was or could have been injured, but also any employee who potentially contributed to the accident or injury event in any way.

#### Return to Duty

An employee who has tested positive and has been removed from their job duties must submit to and furnish a negative drug and/or alcohol test result prior to returning to their job duties.

#### Follow Up

An employee who has been removed voluntarily or otherwise from their job duties due to drug and/or alcohol abuse will be subject to random, unannounced drug and/or alcohol tests. The testing can continue up to sixty (60) months from the return-to-work date

If an employee is tested for drugs or alcohol and the results indicate a violation of County policy, or if an employee refuses a request to submit to testing under this policy, the employee will be subject to appropriate disciplinary action, up to and including discharge from employment.

#### Procedures for Testing

- 1) Testing ~~will~~ may be performed by ~~the County's drug court office~~, a doctor of the County's choice and/or the Emergency Room doctor. Tests test results are the property of the County, but employees have the right, upon request, to see the results of their own test(s).
- 2) Right to Privacy. All drug and alcohol test results are reported to the HR Department who will report them to the County Administrator/Personnel Chair for appropriate follow-up. Test results are considered confidential, and results will only be disclosed within the County on a need-to-know basis and will be retained in a secure location with controlled access. The release of an individual's drug and alcohol test results will only be provided in accordance with an individual's written authorization or as otherwise required by applicable federal or state law. However, the results may be disclosed to the decision maker in a lawsuit, grievance, or other proceeding initiated by, or on behalf of, the employee.

Formatted: Strikethrough

#### Disciplinary Action

##### Discharge for Violation of Guideline

A first violation of this Guideline will result in immediate discharge whenever the prohibited conduct:

- 1) Caused injury to the employee or any other person, or, in the sole opinion of management, endangered the safety of the employee or any other person;
- 2) Resulted in significant damage to County property or equipment, or, in the sole opinion of management, posed a risk of significant damage;
- 3) Involved the sale or manufacture of illegal drugs or other controlled substances;
- 4) Involved the possession, distribution, or dispensation of illegal drugs or other controlled substances or alcohol in a quantity greater than for personal use;
- 5) Involved an employee who had not completed the introductory period or was a casual, seasonal, or temporary employee; or