


TOWN OF WOODFIN – POLICY STATEMENT		Policy #:	
Department: Administration / Finance		Issuing Date:	06/20/2017
	Drug & Alcohol Testing Policy	Effective Date:	06/16/2021
		Revised Date:	06/20/2017
		Prepared By:	Jason Young, Town Administrator
		Approved By & Date:	Board of Commissioners 06/20/2017

PURPOSE:

- A. Town of Woodfin (the “Town”) acknowledges the problem of substance abuse (including alcohol) in our society. Furthermore, we see substance abuse as a serious threat to our organization, employees, and clients. We are addressing this problem by introducing a substance abuse policy to ensure the Town will have a drug free workplace.
- B. The ultimate goal of this policy is to balance our respect for individual privacy with our need to keep a safe, productive, drug free environment. Our intention is to prevent substance abuse. We would like to encourage those who use illegal drugs or abuse alcohol to seek help in overcoming their problem. With these basic objectives in mind, the Town has established the following substance abuse policy.

POLICY:

- A. Illegal or unauthorized involvement with drugs on Town time or Town property, or at any time or place during the workday, or at any time in a Town vehicle, or at any time while on Town business may subject employees to immediate discharge.
- B. The term “illegal or unauthorized involvement” means illegal or unauthorized possession, use, manufacture, dispensation, distribution, purchase, or being under the influence of any controlled substance, violation of any applicable federal or state criminal drug statute, or a confirmed positive drug test result as verified in accordance with applicable federal and state law.
- C. Employees who use alcoholic beverages on the job, or report or return to work under the influence of alcohol, may be subject to immediate discharge.
- D. Employees’ persons and belongings, offices, desks, lockers, Town vehicles, privately-owned vehicles on Town property, and work sites are subject to searches by the Department Head and or the Town Administrator for evidence of violations of this policy. Individuals may be requested to display personal property for visual inspection upon request by the Department Head and or Town Administrator. Refusal to consent to search or to display personal property for visual inspection upon management request may be cause for immediate discharge.
- E. Adherence to the Town’s policy on drugs and alcohol is a condition of employment for all employees.
- F. All employees must notify the Town of any criminal drug statute conviction within five days of such conviction.
- G. All employees are responsible for preventing and reporting violations of the Town’s drug and alcohol policy or other actions that threaten harm to the Town or to their fellow employees. Employees are expected to use good judgment and common sense in exercising this responsibility.

DRUG & ALCOHOL TESTING:

Employees will be tested as set forth below.

- A. Pre-Employment Testing
 - a. Employees may be tested prior to beginning their employment with the Town.
- B. Reasonable Cause Testing
 - a. Employees will submit to urinalysis drug testing or other diagnostic tests whenever, in the opinion of the Town Administrator, reasonable grounds exist to believe that the employee is in violation of this policy.
- C. Post-Accident or Work-Related Personal Injury Testing
 - a. Employees may be required to submit to urinalysis drug testing or other diagnostic tests after any workplace accident or work-related injury when medical treatment is necessary. Failure to report for such testing at the first medical treatment following an accident or when requested within fourteen days of notice to the Town that an injury may be work-related will be regarded as a refusal to be tested. In accordance with State law, employees who refuse to submit to or cooperate with drug or alcohol testing after an accident may forfeit any rights to recover workers' compensation benefits.
- D. Follow-up Programs
 - a. As part of a follow-up program to treatment for drug abuse.
- E. Fitness-for-Duty Exams
 - a. When a substance abuse test is conducted as part of a routinely scheduled employee fitness-for- duty medical examination that is part of the employer's established policy or that is scheduled routinely for all members of an employment classification or group. The Town reserves the right to test all employees subject to this policy for substance abuse issues in the event it determines that such testing is necessary to ensure the safety of workers and or the general public.

REFUSAL TO BE TESTED:

- A. Any employee who refuses to be tested will be removed from the workforce and may be subject to immediate discharge.
- B. At the time of testing, employees will be required to sign a consent form authorizing the required medical and laboratory tests.
- C. Any employee who refuses to sign the consent form may be removed from the workforce and may be subject to immediate discharge.

GENERAL TESTING PROCEDURES:

- A. All testing will be performed by an independent and highly reputable laboratory or health care provider that has been certified by the National Institute on Drug Abuse as qualified to perform drug testing under federal workplace testing programs.
- B. Reasonable measures will be taken to ensure privacy during administration of the test.
- C. All positive test results will be subject to confirmation testing by the laboratory or health care provider which conducted the original screening and verification by a qualified Medical Review Officer. Such confirmation testing and verification will be accomplished using the original test sample, and not by retesting the employee or applicant. A portion of all test samples that produce confirmed positive results will be preserved by the testing

laboratory for at least ninety days from the date the test results are mailed or otherwise delivered to the Town.

- CONFIDENTIALITY:**
- A. Results of an applicant's or employee's test for the use of illegal drugs or alcohol abuse shall be transmitted to the appropriate management official. In order to address illegal drug use effectively, it may be necessary for the appropriate management official to consult with other persons in the process. However, such results will be disseminated only on a need-to-know basis.
 - B. All information received through substance abuse testing is confidential, but may be used or received in evidence, or disclosed in any civil or administrative proceeding when the information is relevant to the employer's defense, e.g., a workers' compensation hearing.
 - C. Drug test results and substance abuse documents will be maintained in a separate, locked, confidential file aside from the personnel files.
 - D. *Employees who are deemed to have a confirmed positive test under this policy may be subject to immediate discharge.***
 - E. *Employees who receive a confirmed positive test as verified by a Medical Review Officer may request in writing that the original sample be retested by the same or another approved laboratory. Such a request must be made during the ninety-day period that the original sample is retained. Employees must specify to which approved laboratory the sample is to be sent. Employees will incur all reasonable expenses related to any request for retesting, including expenses for chain of custody procedures, shipping, and retesting of the positive sample.***

EMPLOYEE ASSISTANCE: The Town encourages an employee with drug or alcohol problems to seek counseling. The Town Administrator will be happy to refer employees to outside agencies for assistance in coping with such problems.

SCOPE: This policy applies to all employees of the Town of Woodfin.

COMMENTS: Policy should be reviewed annually and updated, as necessary.

POLICY AUTHORITY: Please contact the Town Administrator at 828-253-4887 with any questions pertaining to this policy.

Town of Woodfin

APPLICANT/EMPLOYEE DRUG/ALCOHOL SCREENING TEST CONSENT

I, _____, understand and agree that the test I am about to receive includes a:

- Blood test to determine the presence of drugs or alcohol
- Urine test to determine the presence of drugs or alcohol.

I authorize the testing laboratory to release the results of the tests to the Town and any Medical Review Officer designated by the Town.

I understand and agree that if the tests performed on the blood or urine sample taken from me indicate that I have violated the Town drug and alcohol testing policy, I may be subject to disciplinary action up to and including discharge.

I understand that all testing for controlled substances will conform to the provisions of the Controlled Substance Examination Regulation Act, which requires the use of an approved laboratory, the testing be performed under reasonable and sanitary conditions, the tests be confirmed by a second examination utilizing certain scientifically accepted methods, and chain of custody procedures be utilized. I understand that the testing laboratory is required to retain a portion of the original sample that has been confirmed positive for at least ninety days from the date that the test results are mailed or otherwise delivered to the Town. If my test results are confirmed positive, I understand that I may request in writing that the original sample be retested by the same or another approved laboratory. I understand that such request must be made within the ninety-day period that the testing laboratory retains the original sample. I understand that my request must specify to which approved laboratory the sample is to be sent. I further understand that I will incur all reasonable expenses related to any request for retesting, including expenses for chain of custody procedures, shipping, and retesting of the positive sample.

I hereby:

- Consent
- Refuse to consent to the test(s) as noted above.

Date: _____

Name (print): _____

Name (signature): _____

Witness Name (print): _____

Witness Name (signature): _____