

Reference:	Title:
Drug-Free Workplace Act of 1988 – 41 UCS 701 HR Bulletin Driving and Motor Vehicle Policy HR Bulletin Workplace Drug and Substance Policy	Drug and Substance Testing Policy

I. PURPOSE

The City promotes safety, health, and public trust in the workplace. This policy establishes standards for drug and substance testing, identifies circumstances under which testing may occur and outlines expectations for employees and volunteers. This policy is intended to comply with applicable City, State, and Federal laws and regulations.

II. DEFINITIONS

- A. Impairment:** A condition in which an individual's physical, mental, or cognitive abilities are diminished such that the individual cannot safely or effectively perform essential job duties.
- B. Near-Miss:** A near miss means an incident that could reasonably have resulted in injury, equipment damage, or public safety risk.
- C. Post-Accident Testing:** Testing conducted following a work-related incident involving injury, potential injury, vehicle involvement, property damage, or a near miss with significant safety risk.
- D. Refusal to Test:** Includes these behaviors failure to appear for testing, failure to remain at testing site, failure to provide specimen, tampering with specimen or failure to cooperate with testing procedures.
- E. Restricted Substance:** Any substance that may impair an individual's ability to perform job duties safely and effectively, including but not limited to:
 - 1. Any use of illegal drugs, alcohol, and controlled substances regardless of whether it causes impairment; or
 - 2. Over the counter, prescription medication, or medical cannabis, used inconsistent with the prescribed or intended use, dosage, or in a manner that causes a reasonable suspicion of impairment.
- F. Reasonable Suspicion:** A belief, based on specific and articulable observations, that an employee or volunteer may be impaired. Indicators may include but are not limited to odor, appearance, behavior, performance or speech.
- G. Restricted Position:** A position in which impaired performance could pose a significant risk to the safety of the employee, coworkers, volunteers, the public; or to property.
- H. Safety-Sensitive Position:** A position for which law, regulation, or agreement (e.g. grant, access) mandates drug-free status for employees and/or volunteers

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- I. Refusal to Test:** Failure to comply with testing procedures, including failure to appear for testing, failure to provide a specimen without valid medical explanation, tampering with a specimen, or refusal to cooperate with testing procedures.

III. ELIGIBILITY

This policy applies to all full time, part time, probationary, regular, temporary, and seasonal employees and volunteers.

Employees in positions covered by the Federal Motor Carrier Safety Administration (FMCSA), including Commercial Driver’s License (CDL) positions, must comply with all applicable federal requirements. Employees in safety-sensitive positions covered by the Federal Transit Administration (FTA) due to federal transit funding must comply with all applicable federal requirements.

IV. PROVISIONS

A. Prohibited Conduct:

1. Employees and volunteers are prohibited from the use, possession, sale, manufacturing, or dispensing of restricted substances during work hours, while performing City business, while operating City vehicles or equipment, or while operating a personal vehicle for City business.
2. Employees may not report a city workplace remain at a city workplace while impaired or while there is a reasonable suspicion of impairment by a restricted substance.
3. Employees in restricted or safety sensitive positions are held to a higher standard due to the nature of their duties. Any detectable THC in these positions is a violation of this policy, regardless of cannabis legality under state law.
4. The City may immediately remove an employee or volunteer from the workplace immediately pending investigation. The employee may not return to duty until cleared by Human Resources.

B. Testing:

1. Testing for the presence of a restricted substance(s) may be conducted under the following circumstances:
 - i. Pre employment testing for safety sensitive positions.
 - ii. Random testing for safety sensitive positions.

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- iii. Random testing for positions as required by grant, contract or agreement.
 - iv. Testing required by federal law for CDL, FMCSA, and FTA covered positions.
 - v. Reasonable suspicion testing based on observable indicators.
 - vi. Post accident or near-miss testing for all City workers when an incident involves injury, potential injury, property or equipment damage, vehicle involvement, or a safety risk.
 - vii. Follow up testing as required.
 - 2. Employees directed to submit to testing may not operate a vehicle and must comply with transportation arrangements provided by the City.
 - 3. Testing procedures will follow established chain-of-custody and specimen integrity standards. The sample collection container identification must match the employee or volunteer identifying information.
 - 4. Submitting an adulterated or substituted sample, failing to cooperate or refusing to test may be considered a refusal to test.
 - 5. A dilute sample may be considered a negative test or may require retesting. If retesting is required, the City may require an observed collection.
 - 6. An individual who submits a dilute sample may receive one opportunity for a retest within a specified time frame. Failure to complete the retest or submission of a second dilute sample may be considered a refusal to test.
 - 7. A dilute sample will be considered a positive test if a restricted substance is detected.
- C. Medical Review Officer:**
- 1. A Medical Review Officer (MRO) will review the test results and notify the City whether the test results are negative or positive.
 - 2. Employees and volunteers with a valid prescription or a medical cannabis recommendation must provide documentation to the MRO upon request.
- D. Confidentiality:**
- 1. All testing results, and related medical information will be maintained as confidential information and stored securely. Information will be shared only with individuals who have a legitimate business or legal need to know.

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E. Policy Violation:

1. Violations of this policy, including refusal to test or a confirmed positive test by the Medical Review Officer, may result in disciplinary action up to and including separation in accordance with City policies and applicable law.
2. Volunteers may be removed from service.
3. Human Resources will coordinate with the department head to determine appropriate next steps following confirmation of a policy violation.

F. Substance Use Support:

1. The City encourages employees and volunteers to proactively seek assistance for substance use concerns.
2. The Employee Assistance Program provides confidential counseling, resources, and referrals.
3. Voluntary participation in an accredited treatment program, prior to a testing requirement or policy violation, will not result in disciplinary action.

V. PROCEDURES

A. Reporting Requirements:

1. Supervisors must promptly notify Human Resources of any suspected restricted substance use or reasonable suspicion of employee or volunteer impairment.
2. Supervisors must follow the Drug and Substance Testing Supervisor Guide when making observations, documenting observations or concerns, initiating testing procedures, and completing required documentation.
3. Reasonable suspicion determinations must be supported by the Reasonable Suspicion Observation Checklist and any related forms in the Drug and Substance Testing Supervisor Guide.

B. Accommodation:

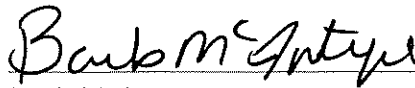
1. Human Resources will engage in an interactive process to determine reasonable accommodation when appropriate under state or federal law.
2. Accommodation will not permit an employee or volunteer to work while impaired, as demonstrated by observable indicators consistent with the Reasonable Suspicion definition and Supervisor Guide, or in violation of state or federal law.

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C. Acknowledgement of Policy:

1. Employees must complete required training and acknowledge understanding of this policy through the designated system.
2. Department heads are responsible for ensuring volunteers are informed of this policy.

The City reserves the exclusive right to interpret this policy.



Barb McIntyre
Human Resources Director

7-1-2026

Date



Leirion Gaylor Baird
Mayor

7-1-2026

Date