

**CITY OF BEAUMONT
POLICIES AND PROCEDURES MANUAL**

Policy Number: 3.3

Subject: Drug-Free Workplace
Full-Time & Auxiliary Employees

Effective Date: April 1, 1999
Revised: June 1, 2005

Approved by: Kyle Hayes | 05/01/2021
City Manager | Date

Chris Catalina | 05/01/2021
Personnel Director | Date

I. PURPOSE

- A. To promote and maintain a healthy, safe and productive drug-free work place for all employees while ensuring the efficient delivery of quality services to the citizens of the City of Beaumont.
- B. To ensure that employees do not have their ability to work impaired as a result of the use of illegal drugs, inhalants, or alcohol and report to work free from the influence of illegal drugs, inhalants, or alcohol.
- C. To help employees recognize the serious duties and responsibilities entrusted to them and reinforce that drugs/inhalants/alcohol can hinder one's ability to perform/fulfill the duties and responsibilities assigned.
- D. To eliminate the use of alcohol, inhalants, illegal drugs, abuse of prescription drugs and any other substance:
 - 1. which could impair an employee's ability to perform safely and effectively the functions of any given job;
 - 2. when such use may increase the potential for accidents, absenteeism, substandard performance; and
 - 3. when such use may tend to undermine the efficiency of the work force.
- E. To provide guidelines for the detection and consequence of alcohol, inhalant, and/or illegal drug use.

II. DEFINITIONS

A. The definitions in this section apply to this policy:

Alcohol Concentration	I
Alcohol Use	J
Alcohol.....	H
Applicant.....	C
Confirmatory Test.....	P
Driver.....	D
Drug/Alcohol Screen.....	O

EAP.....	L
Employee.....	B
Illegal Drug.....	F
Inhalants.....	K
Legal Drug.....	G
On-the job.....	E
Post-Accident Testing.....	R
Reasonable suspicion/cause.....	N
Safety Impact Position.....	Q
Testing Facility.....	S
Under-the influence.....	M

- B. Employee: Auxiliary and full-time City of Beaumont employees.
- C. Applicant: Auxiliary employee applying for full-time position, or individual seeking employment with the City of Beaumont.
- D. Driver: Person who operates City owned/leased vehicle or motor-driven heavy equipment or uses his/her personal vehicle for City business.
- E. On-the job: time period an employee is actually on duty.
- F. Illegal Drug - Any drug (1) which is not legally obtainable or (2) which is legally obtainable but has not been legally obtained. The term includes prescribed drugs not legally obtained and prescribed drugs not being used for prescribed purposes. Controlled substances such as marijuana, cocaine, opiates, amphetamines, and phencyclidine (PCP).
- G. Legal Drug - Prescribed drugs and over-the-counter drugs which have been legally obtained and are being used for the purpose and at the frequency for which they have been prescribed or manufactured.
 1. This policy will not include medication prescribed by a licensed physician to an employee who has been advised by the licensed physician that he/she can safely perform his/her work while taking the prescribed drug.
 2. Employees who are taking prescribed or over-the-counter medication which may affect their job performance should immediately report such use to their supervisor.
 3. Abusing the use of a prescription medication is strictly prohibited and is grounds for disciplinary action up to and including termination.
- H. Alcohol - The intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols including methyl and isopropyl alcohol.
- I. Alcohol Concentration (or content) - The alcohol in a volume of breath expressed in terms of grams of alcohol per 210 liters of breath as indicated by an evidential breath test.

- J. Alcohol Use - The consumption of any beverage, mixture, or preparation, including any medication, containing alcohol.
- K. Inhalants - Inhalant use refers to the intentional breathing of gas or vapors with the purpose of reaching a high. Inhalants are legal, everyday products which have a useful purpose, but can be misused, such as typewriter correction fluid, air-conditioning refrigerant, felt tip markers, spray paint, air freshener, butane, cooking spray, and more than 1,000 other products.
- L. Employee Assistance Program (EAP) - A program designed to help employees whose job performance is adversely affected by personal problems, drug abuse, alcoholism, etc. Participation or assessment by the EAP professional is required.
- M. Under-the-Influence- State of intoxication resulting from drugs, alcohol or a combination of drugs and alcohol.
- N. Reasonable Suspicion/Cause - "Reasonable Suspicion" is a belief based on objective facts and/or observable on-duty behavior sufficient to lead a reasonably prudent supervisor to suspect that an employee is under the influence of drugs, inhalants, or alcohol to the extent that the employee's ability to perform the functions of the job is impaired or so that the employee's ability to perform his/her job safely is reduced. Any of the following (but not limited to the following), alone or in combination, may constitute reasonable suspicion:
 - a. Slurred speech;
 - b. Alcohol and/or odors on breath;
 - c. Unsteady walking and movement;
 - d. An accident involving City property or while on duty;
 - e. Physical altercation;
 - f. Verbal altercation;
 - g. Unusual behavior;
 - h. Possession of alcohol or drugs;
 - i. Information obtained from a reliable person with personal knowledge;
 - j. A change in the employee's performance level;
 - k. Impaired judgment, reasoning;
 - l. Decreased level of attention;
 - m. Decreased ability of senses.
- O. Drug/Alcohol Screen - Collection of a urine specimen and a laboratory analysis of that specimen by Enzyme Immunoassay (EMIT) screening including confirmatory testing using the Gas Chromatography/Mass Spectrometry (GS/MS) method or the most current and/or appropriate technology. Alcohol test via breathalyzer/blood will be used to determine the level/presence of alcohol in the body.

P. Confirmatory Test

1. For alcohol, testing means a second test following a screening test with a result of 0.02 or greater, that provides quantitative data of alcohol concentration.
2. For drug (controlled substances) testing means a second analytical procedure to identify the presence of a specific drug or metabolite which is independent of the screen test and which uses a different technique and chemical principle from that of the screen test in order to ensure reliability and accuracy.

Q. Safety Impact Position - An employment position involving job duties which if performed with inattentiveness, errors in judgment, diminished reflexes/coordination, dexterity, or composure may result in mistakes that could present a real and/or imminent threat to the personal health and safety of the employee, co-workers and/or the public.

1. Any employee who operates a City-owned/leased vehicle or motor driven/heavy equipment as a part of their primary duties is in a safety impact position.
2. Any employee who drives on City business is in a safety impact position if they drive as a regular or substantial part of their duties on behalf of the City.
3. Safety Impact Positions also include those employment positions whose job duties involve contact with or access to drugs.

R. Post-accident Testing - The testing of an employee after an accident in which an employee is directly or indirectly involved.

S. Testing Facility - The approved collection facility shall maintain written procedures that will be used to maintain and collect specimens. These procedures shall, as a minimum, include the following:

1. Testing procedures which ensure privacy to employees and applicants.
2. Testing procedures to ensure the prevention of tampering.
3. Methods of analysis which ensure reliable test results.
4. Chain-of-custody procedures which will ensure proper collection, identification, labeling and handling of test samples.
5. Retention and storage procedures which will ensure reliable results on confirmatory tests of original samples.
6. Procedures for processing the sample including assigning a control number, date and time of specimen collection, refrigeration of specimen, etc. The seal will be broken only by the individual performing the analysis and, to protect the chain of custody, any person handling the sample must sign for it.
7. Chain-of-custody procedures for proper notification of test results.

III. RULES/PROCEDURES

- A. Any deviation from this policy requires the written approval of the City Manager.
- B. The department directors and division managers shall be responsible for the administration, enforcement and implementation of this policy.
- C. Any employee who violates the guidelines outlined in this policy will be subject to disciplinary action up to and including termination.
- D. An employee who receives a drug conviction or probation of any kind (including deferred adjudication or regular probation) must report such conviction or probation to his department director or the Personnel Director within five working days thereof.
 - 1. Failure to report same within the required time frame may result in immediate termination.
- E. Any employee who has completed or is in rehabilitation and who is tested on an unannounced basis will be considered as under-the-influence if the alcohol concentration level is greater than 0.
 - 1. Successful completion of the rehabilitation process is also a condition of continued employment.
 - 2. Any subsequent violation will result in immediate termination. (*Also see section on Rehabilitation*).
- F. Any employee who tests positive for drugs and/or is considered under-the-influence of alcohol shall be terminated immediately.
 - 1. When alcohol screens are required under the provisions herein, a breathalyzer and/or blood test will be required of the employee to detect the presence and/or the level.
 - a. An employee who has a confirmed alcohol concentration of .02 and above will be considered under-the-influence.
- G. Any applicant/employee who is denied employment/terminated as a result of a positive drug/alcohol screen or for any other reason listed in this policy shall be considered for employment in less than one year only with approval of the City Manager.
 - 1. Any applicant who refuses to consent to a drug/alcohol screen or to the release of the test results of a drug/alcohol screen, fails to appear at the designated collection site, tampers or attempts to tamper with or substitutes a required specimen, or fails to provide the required specimen shall have their hiring process terminated or their conditional offer of employee withdrawn, and existing employees who refuse shall be terminated immediately (*see "Testing Procedures" also*).
- H. An employee who manufacturers, dispenses, uses, possesses or distributes drugs while on the job may be suspended without pay pending the investigation results.
 - 1. No employee shall consume or sell any alcoholic beverage during working hours or be in possession of a container of an alcoholic beverage while at work.

2. No employee shall transport any container of an alcoholic beverage in a City vehicle nor possess (while on duty), sell, or provide drugs or alcohol to any other employee or to any person while such employee or person is on duty.
 3. The employee's supervisor should complete the Drug/Alcohol Investigation Report (Attachment A). *Also refer to the "Reasonable Suspicion" section of this policy.*
 - a. The Police Department will be notified if an employee is suspected of possessing or distributing drugs while on the job.
 - b. Should an investigation confirm any of the above, the employee shall be terminated.
- I. Nothing herein shall prevent the City from testing an employee in accordance with the random and/or other provisions of this policy.

IV. DRUGS FOR WHICH THE EMPLOYEE/APPLICANT WILL BE TESTED

- A. When drug screens are required under the provisions herein, a urinalysis test will be administered/performed to detect the presence and the level of the following drug groups: marijuana, cocaine, opiates, (e.g. codeine, heroin, morphine, hydrocodone, hydromorphone), phencyclidine (PCP) and amphetamines (e.g. speed).
- B. When alcohol screens are required under the provisions herein, a breathalyzer and/or blood test will be required of the employee/applicant to detect the presence and/or the level.

V. TESTING PROCEDURES

- A. An approved certified lab collection facility shall be responsible for the specimen collection and reporting of drug/alcohol test results.
 1. The approved facility shall adhere to the established chain-of-custody procedure as outlined herein.
- B. Upon arrival at the approved collection facility, the applicant/employee shall provide proper photo identification.
- C. The applicant/employee shall sign a consent form authorizing the drug/alcohol test and permitting release of test results in the form of pass/fail to the City of Beaumont for employment purposes. *Any employee/applicant who refuses to consent to the release of the test results of a drug/alcohol screen, fails to appear at the designated collection site, tampers or attempts to tamper with or substitutes a required specimen, or fails to provide the required specimen shall have their hiring process terminated or their conditional offer of employment withdrawn; and in the instance of existing employees, the employee shall be terminated immediately. Any applicant/employee who refuses to consent to a drug/alcohol screen will be excluded from employment consideration for one year.*
- D. Should an initial screening result in a positive test, a confirmatory test shall be conducted by the same laboratory facility.

1. The collection facility or Medical Review Officer (MRO) may consult as necessary with the employee/applicant to determine if the positive results can be substantiated with a current verifiable prescription.
 2. The employee shall provide any documentation of the current use of prescription or over-the-counter medication to the MRO upon request (i.e., the prescription bottle or a physician's statement).
- E. The Personnel Director or designee shall be informed of the results of each test in the form of pass/fail.
1. Test results shall be held in strict confidence and imparted to the Personnel Director and the respective department director or management who are responsible for employment decisions.
 - a. An informed individual who willfully discloses the test results to anyone outside of those with a "need to know" shall be subject to disciplinary action including termination.
 2. If the results are positive, the employee will be notified by the department director or his/her designee; the Personnel Department is responsible for notifying the applicant of the post-employment offer drug screen test results.
- F. Written consent authorizing disclosure from an employee is not required when an action resulting from the violation of this policy becomes the subject of any judicial, quasi-judicial or administrative proceeding or hearing.

VI. CONDITIONS FOR DRUG/ALCOHOL TESTING

Current employees will be tested upon reasonable suspicion/cause, promotion, demotion or transfer, at random for safety impact positions and during probation after rehabilitation. Applicants who are selected for hire upon completion of the initial employment selection process will be tested; employees who are not regular full-time employees will be considered as applicants.

- A. **Post-employment offers** will include drug/alcohol test for applicants who are selected for hire upon completion of the initial employment selection process.
1. An employee who applies for a full-time position, transfer, demotion, promotion or is otherwise placed into a safety impact position shall be required to pass a drug/alcohol test.
 - a. Any employee who has applied for promotion, demotion or transfer into a safety impact position and who later becomes disinterested in the position may withdraw his/her application prior to being tested.
 2. The Personnel staff only is responsible for informing and scheduling the successful applicant of the required drug/alcohol screen as a part of the post-employment offer process.
 3. The City of Beaumont shall request prior violation data for applicants applying for positions requiring a CDL from the driver's previous employer relating to the

prior drug/alcohol use or violation of a rule of another DOT agency within the previous six months.

- a. The Personnel Department shall submit such request to the previous employer on the Previous Employer Prior Drug/Alcohol Violation Form (Attachment B).
4. Should the preliminary screening result in a positive test and such results cannot be substantiated with a current verifiable prescription, the applicant will be notified that he/she has failed the drug/alcohol test; and the employment offer shall be rescinded. *(The Personnel Department is responsible for notifying the applicant of the post-employment offer drug screen test results).*
5. If the screen results are inconclusive, the applicant shall be requested to submit to another drug/alcohol screen, not to exceed a maximum of two re-submissions.
6. If the screen results are inconclusive a third time, the applicant will no longer be eligible for employment consideration and will be excluded from employment consideration for one year. *The applicant shall be informed of such determination by the Personnel Department.*

B. Random Drug Testing

1. The random drug testing of safety impact positions and rehabilitation provision due to voluntary admission became effective July 1, 1993. The random drug/alcohol testing provision for driver's license became effective January 1, 1995.
2. A list of the safety impact positions shall be maintained on file in the Personnel Office to serve as the basis for the administration of the random testing of safety impact positions by Personnel.
 - a. The selection of employees for random drug/alcohol testing shall be made by a random computer selection process from the group of safety impact employees.
3. All safety impact positions, including employees who are required to have commercial drivers, are subject to drug/alcohol testing on an unannounced random basis.
 - a. The minimum annual percentage for random alcohol testing shall be 25% of the average number of driver positions.
 - b. The minimum annual percentage for random drug testing shall be 50% of the average number of driver positions.
4. Any employee who possesses a CDL or has an opportunity to drive City vehicles on a usual, intermittent, or occasional basis shall be subject to random drug/alcohol testing.
5. Any employee selected for random testing who is absent will not be notified to take the drug/alcohol test until the first day the employee returns to work even if the first day back occurs in a later month.

6. A supervisor may, but is not required to, accompany an employee who is selected for random drug/alcohol testing.

C. **Reasonable Suspicion**

1. When there is reasonable suspicion/cause based on articulable specific behaviors/facts that an employee is using or under-the-influence of drugs/alcohol while on the job, the employee shall be subject to a drug/alcohol test.
 - a. Reasonable suspicion may include, but is not limited to, a pattern of the following physical symptoms or characteristics: continual absenteeism (Monday/Friday syndrome), frequent and/or unusual on-the-job accident or injury, difficulty concentrating, confusion, glassy or bloodshot eyes, slurred speech, poor reflexes, abnormal, erratic or bizarre behavior, fighting or assaultive behavior, continual tardiness or leaving work early, lowered job efficiency and productivity, smell of alcohol or marijuana, unsteady gait, possession of drugs or alcohol, poor employee relationships on the job, admission of intoxication or being under-the-influence of illegal drugs, inability to perform reasonable coordination tests, alcohol on breath or direct observation of drug or alcohol use.
2. Any reports of suspected drug/alcohol use must be reported to the supervisor of that employee with documentation of the date, time, location, and specific facts/reasons which warrant testing; the observing supervisor is responsible for completing the appropriate documentation (Drug/Alcohol Investigation Report - Attachment A).
 - a. Testing may be initiated only upon corroborative evidence of illegal drug use (behavior must be witnessed and reported by two supervisors); approval of the department director, division manager, or designee is required prior to conducting a drug/alcohol test.
 1. An anonymous "tip" absent any further corroborative evidence is insufficient.
 2. When there is reasonable suspicion, a supervisor may prohibit an employee from working or continuing to work for the remainder of the work day.
 - a. The supervisor shall determine if medical or Police intervention is necessary (if employee passes out; exhibits assaultive behavior, etc.) and request assistance as needed.
 - b. Supervisors who allow employees to work when behavior warrants reasonable suspicion shall be subject to disciplinary action.
 3. The employee's supervisor (or observing supervisor) will transport the employee to the approved collection facility for testing and/or transport the employee home.

- a. The employee's time spent during testing shall be considered work time.
 - b. Upon arrival at the approved collection facility, the employee shall sign a consent form releasing the test results to the City.
 - c. Should the screening result in a positive test, a confirmatory test shall be conducted by the same laboratory facility
4. Should the employee refuse testing, he/she may be transported home and terminated immediately.
- a. If the employee refuses transportation, the supervisor will note such action on the Drug/Alcohol Investigation Report Form.

D. Post-Accident/Injury

1. Nothing herein should be construed to require a delay of medical attention for an injured person or prohibit a driver from leaving the scene of an accident for the period of time necessary to obtain assistance in responding to the accident to receive necessary emergency care.
2. As soon as practical following an accident, each driver who has a commercial driver's license (CDL) shall be tested for **drugs and/or alcohol** if a loss of human life occurs while the driver was performing safety impact functions with respect to the vehicle; or the driver receives a citation under state or local law for a moving traffic violation arising from the accident.
 - a. A driver may be tested after an accident in which he/she is directly or indirectly involved as determined by the department director or designee.
 - b. If an **alcohol test** is not administered within two hours, the supervisor must prepare and maintain on file a record stating the reason(s) the test was not promptly administered.
 1. If the test is not administered within eight hours, the supervisor shall cease attempts to administer the test(s) and shall prepare/maintain record of same.
 - c. If a **drug test** is not administered within thirty-two hours, the supervisor must prepare and maintain on file a record stating the reason(s) the test was not promptly administered.
 1. If the test is not administered within thirty-two hours, the supervisor shall cease attempts to administer the test(s) and shall prepare/maintain record of same.

3. Any employee who is injured while on duty and requires medical treatment may be subject to drug/alcohol testing at the time initial medical treatment is sought.
4. An employee who is subject to post-accident testing shall remain readily available for such testing or may be deemed by the City to have refused to submit to testing.
 - a. It is also the employee's responsibility to refrain from consuming alcohol for eight hours following the accident, or until they have undergone a post-accident alcohol test, whichever occurs first.
5. Any employee who violates these guidelines will be subject to disciplinary action up to and including termination.

VII. REHABILITATION

The City of Beaumont believes that rehabilitation is the preferred solution to any substance abuse problem as it both protects our investment in a well-trained employee and treats the employee concerned with dignity for what is, in fact, an illness. Therefore, the City will extend the rehabilitation option to any employee who voluntarily admits that a substance abuse (drug/inhalant/alcohol) problem exists and submits to treatment as defined by the Professional Substance Abuse Counselor. If an employee fails to avail himself/herself to such help and violates this policy, the City will have no choice but to terminate the employment relationship in the interest of protecting all employees and the citizens of the City of Beaumont while providing more cost efficient delivery of services. An employee will be allowed one opportunity to voluntarily admit to having a substance abuse (drug/alcohol) problem. Any subsequent admission shall result in immediate termination.

A. Rehabilitation (Supervisor/Non-Supervisor Referral)

1. An employee who admits to having a drug/alcohol problem and submits voluntarily or involuntarily to the EAP for assessment to identify the extent of the problem and possible referral to a rehabilitation program, shall not be penalized for such disclosure. The employee shall be eligible for continued employment if he/she successfully completes a rehabilitation program. If the employee tests negative during the rehabilitation process and subsequently tests positive, he/she shall be terminated immediately.
2. The employee shall be allowed to use accrued vacation, personal leave, and short-term disability during the rehabilitation period in accordance with policy.
3. The rehabilitation process shall not, in any case, exceed ninety days for inpatient care and twelve months for outpatient care. The City will provide medical coverage in accordance with City policies and procedures.

4. An employee who fails or refuses to submit to a random drug/alcohol screen/test upon request by the City shall be terminated immediately.
5. During the rehabilitation process, the City may test the employee on an unannounced basis to ensure the safety of employees and the citizens of Beaumont. The unannounced test will be scheduled by the Personnel Director with the specimen collection and the medical review by the approved collection facility.
6. A "return to work" conference shall be conducted between the employee, employee's supervisor, and the Professional Substance Abuse Counselor to identify the rehabilitation plan. The Return to Work Conference - Letter of Understanding (Attachment C) shall be completed at this meeting. Any employee who fails to cooperate or to successfully complete the required rehabilitation shall be terminated.
7. Upon return to work, the employee shall be placed on probation for a period not to exceed twelve months from the return to work date. During this probationary period, the employee will be tested on an unannounced basis. The unannounced tests shall be scheduled by the Personnel Department with the specimen collection/medical review by the approved collection facility. The approved collection facility shall inform the Personnel Director or designee of the results of each test. Attachment D shall be completed by Personnel.
8. If, at any time during/after the probationary period, the employee should test positive for use of drug/alcohol (after confirmed testing), the employee shall be terminated immediately.

VIII. POLICY NOTIFICATION AND IMPLEMENTATION

- A. A copy of this policy will be distributed to all applicants being tested and a copy of the most recent policy (latest revision) will be placed on the bulletin board of all designated posting locations within each department or division.
 1. Each employee/applicant being tested will sign the “**Notification of Drug-Free Workplace Policy**” (Attachment E).
 - a. The signed form will be filed in the employee’s personnel folder or EEOC packet as applicable.
- B. Periodic presentations will be made by the Safety Division of Personnel to City employees informing them of the dangers of drug/inhalation/alcohol abuse and the possible penalties for drug/inhalation/alcohol abuse violations.

DRUG/INHALATION/ALCOHOL INVESTIGATION REPORT

EMPLOYEE NAME:

DATE OF APPEAL:

State all facts including time, place and location:

Time: _____ AM/PM Place: _____

Location (address): _____

Observed by: _____

WITNESSES:

FACTS:

Transportation Offered to the Employee:

Yes No

Transportation Refused:

Yes No

WITNESSES:

Signature: _____
Supervisor/Person Conducting Investigation

Printed Name

Recommend Testing: Yes No

Approval: _____
Division Manager/Designee

Department Director/Designee

PREVIOUS EMPLOYER DRUG & ALCOHOL VIOLATION FORM

COMPANY: The City of Beaumont
ADDRESS: 801 Main Street | P. O. Box 3827
CITY: Beaumont, Texas 77704

APPLICANT NAME:

SOCIAL SECURITY NUMBER:

Please furnish the following information pursuant to 49 CFR section 382.405 (f). I hereby authorize and request:

(Company Name)

to release alcohol and drug (controlled substance) information listed below to City of Beaumont.

Signed: _____

Date: _____

Witness: _____

INFORMATION from Section 382.401(b)(1),(I),(ii),(iii).

1. Has the above-named individual had an alcohol test with a breath alcohol concentration of 0.04 or greater in the past two years? Yes No
2. Has the above-named individual had a drug (controlled substance) test with a positive result in the past two years? Yes No
3. Has the above-named individual refused a drug (controlled substance) test or alcohol test within the past two years? Yes No

Signed: _____ Date: _____

Please identify the Substance Abuse Professional you referred the driver to if he/she tested positive or refused testing:

Name: _____

Address: _____

City _____ State _____ Phone# _____

NOTE: Failure to furnish information as required by 49 CFR 382.413(b) within 24 days will result in the applicant being removed from any safety impact position. The applicant will be notified.

**RETURN TO WORK CONFERENCE
LETTER OF UNDERSTANDING**

The undersigned parties, _____; _____ and _____ have discussed the following conditions of continued employment for _____.

1. _____ is required to attend meetings and must submit to all drug/alcohol screens administered through such programs. Any absence, for any reason, from the above mentioned meetings may result in disciplinary action including termination. The EAP or the employee's immediate supervisor must approve in writing any exception prior to any deviation from the established plan by the employee.
2. The City may test _____ for drugs/alcohol at any time, with no prior notification, for a period of 12 months, from the date of his/her return to work.
3. Any positive result from any drug/alcohol screen administered for any reason, will result in immediate termination.
4. Failure to submit to an drug/alcohol screen for any reason, shall result in immediate termination.
5. Tampering with or substitution of a urine specimen or tampering with the breathalyzer test shall be considered as a failure to provide a urine specimen or breathalyzer and shall result in immediate termination.
6. I, _____, understand that if I am observed while on duty at any time using or possessing drugs/alcohol without proper medical evidence, I shall be terminated.
7. I, _____, understand that if I at any time provide false information or withhold requested information on the "Drug/Alcohol Screening Consent Form" or any other form pertaining to the testing, I shall be terminated immediately.

Dated this _____ day of _____, _____.

I hereby have read and understand the contents of this letter.

Employee

Employee's Supervisor

EAP or Professional Substance Counselor

ATTACHMENT D

PERSONNEL POLICIES AND PROCEDURES

EMPLOYEE'S NAME: _____

SUPERVISOR'S NAME: _____

Probationary Period for unannounced tests: from _____ to _____.

Tests will be conducted at unannounced intervals.

	Test Date	Signature of Person Administering Test	Pass/Fail	Transported to Approved Collection Facility by
1.				
2.				
3.				
4.				
5.				
6.				
7.				
8.				
9.				
10.				
11.				
12.				

The Approved collection facility will provide the results of the test to the Personnel Director or his/her designee. This form will be returned to the Personnel Office at the conclusion of the employee's probationary period.

Notification of Drug-Free Workplace Policy

As a condition of employment and as part of the employment process, the City of Beaumont requires a drug and/or alcohol test for all applicants/employees selected for hire. Each offer of employment shall be conditional upon successful completion of a drug/alcohol test as set forth in the City of Beaumont Policy & Procedure manual. Any applicant/employee who tests positive during the post-employment offer process for drugs/alcohol shall be rejected unless the applicant adequately establishes a legal basis for the use of the drug/alcohol with respect to which the applicant/employee tested positive. Any applicant/employee who tests positive during the post-employment offer process for drugs/alcohol shall be excluded from employment for one year.

In order to ensure that proper procedures are adhered to, the Personnel Department will schedule all post-employment offer drug/alcohol testing for the applicant/employee at the approved collection facility. The post-employment offer drug/alcohol testing procedures are:

- V. An applicant/employee selected for hire in a position that requires driving with a CDL license for the City shall be tested for alcohol.
- VI. An applicant/employee selected for hire in any position shall be tested for drugs.
- VII. The applicant/employee shall provide proper photo identification to the approved collection facility.
- VIII. The applicant/employee shall sign a consent form authorizing the test and permitting release of test results to the City of Beaumont for employment purposes.

DRUG -FREE WORKPLACE STATEMENT

It is the policy of the City of Beaumont to maintain an on-going drug-free workplace for all of its employees. The unlawful manufacturing, distributing, dispensing, possessing, or use of a controlled substance in the workplace is strictly prohibited. Any employee caught doing so will be subject to appropriate personnel action and/or prosecution. Any employee convicted of violating a criminal drug statute must notify their respective Department Director no later than five days after such a conviction. The Department Director will in turn notify the City Manager. All employees must abide by the terms of our policy and make a good-faith effort to continue to maintain a drug-free workplace through implementation of all requirements. The use of drugs and other controlled substances can create a dangerous and life-threatening environment for not only the individual engaging in such activity, but for other employees and the public. It is the responsibility of not only management, but each and every employee to keep the workplace drug-free and safe for everyone. The Personnel Department will provide periodic training on the dangers of drug and alcohol abuse in the workplace.

Kyle Hayes, City Manager

- I have read this document and understand the content.
- I acknowledge receiving a copy of the City of Beaumont's Policy #3.3 - Drug-Free Workplace policy.

Printed Name

Applicant/Employee Signature

Date