

## **The Town of Thomaston Drug and Alcohol Policy**

### **I. Policy Statement**

The Town of Thomaston has a strong commitment to provide a safe and efficient workplace to all its employees and to promote high standards of employee safety. Employees are required to report to work on time and in an appropriate mental and physical condition to perform their job. The possession, consumption, sale, exchange, use of, or being under the influence of controlled substances or alcohol during working hours is prohibited.

Our goal is to maintain a work environment that is free from the effects of alcohol, illegal and unauthorized drugs.

The presence of drugs and/or alcohol on the job and the influence of these substances on employees during working hours will result in disciplinary action up to and including suspension or termination. All disciplinary action will be taken in full accordance to Union Contracts. While the Town of Thomaston has no intention of intruding into the private lives of its employees, off-the-job illegal drug activity or alcohol abuse that could adversely affect an employee's performance or otherwise jeopardize the safety of other employees, the public, Town equipment, or the Town's relations with the public will not be tolerated.

For job related incidents or performance problems involving alcohol or substance abuse an employee will be required to seek confidential assistance from a counselor or enter a rehabilitation program. Pending the result of such assistance, consideration for termination or other disciplinary actions will be postponed. The Thomaston Police Department does have an employee assistance program in place for its employees. The Town of Thomaston will hold the employees position for a period of 45 days while he/she is in a rehabilitation program. The employee may choose to use disability insurance, accrued sick time or vacation time while in the process of rehabilitation.

Any illegal substance found on Town property or in Town vehicles will be turned over to the appropriate law enforcement agency. Confidentiality of origin of illegal substances will be maintained when possible.

### **II. Prescription Drugs**

Use of medically prescribed medications and drugs is not per se a violation of this policy; however, when taking medications or drugs which could interfere with the safe and effective performance of duties or operation of Town equipment, the employee should notify his/her supervisor providing drug side effect information **before beginning work**. If necessary, for the safety of all employees, the town may temporarily place the employee using such drugs in a less hazardous job assignment. The employee shall carry the prescription in the original container. It should include the prescription and the physician and pharmacist's identification.

## Applicable to the Highway Department Only

- III. **In compliance with the Federal Motor Carrier Safety Regulations** both employee drivers and applicants for positions as drivers will be subjected to drug screening.
- a. **Pre-Employment Testing**

Applicants seeking employment with the Town of Thomaston as a driver will be required to undergo drug screening as part of their application. The screening will look for the presence of the following drugs or drug classes: Amphetamines, Cannabis, Cocaine, Opiates and Phencyclidine. A verified positive test will result in a denial of the application for employment. An applicant will not be considered for employment if they refuse to be tested.
  - b. **Reasonable Suspicion Testing**

If an employee exhibits inappropriate behavior, demonstrates performance problems or there is other evidence to be suspect a driver is under the influence controlled substances, the driver may be subject to a drug test. If the driver is requested to be tested and refuses to submit to such a drug test, their test result will be considered positive. Disciplinary action will be up to and including termination.
  - c. **Random Testing**

Drivers will be subject to drug testing at any time while on the job. Drivers will be selected for testing on a random basis. This is a condition of employment as a driver and refusal to be tested will result in the driver not being qualified to drive. Disciplinary action will be up to and including termination.
  - d. **Post Accident Testing**

Any driver involved in a United States Department of Transportation reportable accident must submit him/herself to a drug test if the driver received a citation for a moving violation in relation to the cause of the accident. The driver/employee is responsible to see that his/her urine specimen is collected within 32 hours of the accident. The driver will be in violation of Federal Regulations if he/she refuses to submit to testing. Either a verified positive drug test or a refusal to be tested will result in disciplinary action up to and including termination.

Upon successful completion of rehabilitation and negative drug testing, the employee will be allowed to return to his/her safety sensitive position. Unannounced follow up testing will be up to sixty (60) months with a minimum of six (6) tests for the first year.
  - e. **Specimen Collection Facility**

A qualified collection site will be designated by the Town of Thomaston to collect urines specimens from applicants and employees.
  - f. **Medical Review Officer**

A qualified physician (MRO) who has knowledge of substance abuse will be utilized to interpret and evaluate a donor's positive test result together with

his/her medical history and other relevant biomedical information and to avail him/herself to the donor for a face to face interview if necessary. The MRO will report all drug testing results to authorized Town personnel.

g. Testing Procedures

All drug testing will be performed by an independent toxicology laboratory certified in accordance with Federal Department of Health and Human Services Guidelines. All initial screening presumptive positive test results will be retested by an alternate confirmatory method: Gas Chromatography/Mass Spectrometry.

Disciplinary Action

If an applicant refuses to be tested he/she will not be hired. If an applicant tests positive the job offer will be rescinded.

If an employee refuses to be tested it will be treated as if the employee tested positive and is grounds for termination. If an employee tests positive he/she will be subject to termination.

As an alternative to termination, the employee may be given the option to enter an approved rehabilitation program. He/She must successfully complete the program and will be monitored by random testing for up to five (5) years after completion of the program. If at any time during this rehabilitation and monitoring program the employee tests positive he/she will be terminated immediately. A second positive drug test shall mean termination without the benefit of the rehabilitation option.

Employees found in possession of drugs and or drug paraphernalia will be suspended without pay for five (5) working days and the proper authorities will be notified.

Employees found selling or distributing drugs while on duty will be terminated immediately and the proper authorities will be notified.

- h. Employees who believe they have a drug an/or alcohol problem are encouraged to seek counseling immediately. The Town of Thomaston will hold the employees position for a period of 45 days while he/she is in an approved rehabilitation program. The employee may choose to use disability insurance, accrued sick time or vacation time while in the process of rehabilitation.