

JACKSON COUNTY

**SUBSTANCE
ABUSE POLICY**

FOR ALL COUNTY EMPLOYEES

I. PURPOSE AND SCOPE OF POLICY

Jackson County recognizes that the use of drugs and alcohol in its workplace creates health, safety, security and production problems for its employees, customers, visitors, and business.

This Substance Abuse Policy is designed to (a) provide a safe, healthy, productive, and drug-free workplace for all employees, (b) protect our County and its customers from losses arising out of or associated with alcohol and controlled substance, (c) provide an effective tool for deterrence of substance abuse, (d) provide an effective tool for detection of violators, (e) ensure efficient operations, and (f) maintain a favorable County image.

The Policy does not alter the at-will employment relationship between the County and its employees. It is not meant to create a contract or expectation of future employment between the County and its employees, and is merely one condition of continued employment. The terms of the Policy may change in the future at the County's discretion or to comply with changes in federal or state law. Employees are advised to contact the Personnel Department with any questions concerning the Policy.

All employees of Jackson County are subject to this policy. Compliance with this policy is not optional. The failure to comply with any of the provisions of the policy may subject an employee to discipline up to and including termination. The policy replaces and supersedes all prior alcohol or substance abuse policies.

II. GENERAL PROHIBITIONS

It is the intent of Jackson County to maintain a drug-free working environment for its employees and the general public. To this end, the County prohibits the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in the workplace, on work grounds, or within a County vehicle. This also includes time spent in a personal vehicle while on work time or at a location other than the workplace, but on work time for a conference, convention, seminar, or other authorized County activity.

Furthermore, the County strictly prohibits the use of alcohol and/or controlled substances by its employees and volunteers who are performing, ready to perform, or ceasing to perform job functions. Employees have an absolute obligation to notify the County of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such a conviction. The County has thirty (30) days in which to respond to such a notice from the employee.

After new hire drug testing specific departments may require on-going or random drug testing of its employees. These requirements may be in response to federal, state, or County mandates to assure that employees in "sensitive" positions (law enforcement and Highway) remain drug-free.

All employees are subject to the following prohibitions:

A. Alcohol

Employees are prohibited from the following actions relating to alcohol use:

From performing work while having an alcohol concentration of 0.02 or greater;

B. Drugs/Controlled Substances

All employees are prohibited from the unlawful manufacture, distribution, possession, or use of controlled substances during working hours, in any County-owned or leased vehicle, or in any County facility or workplace. For purposes of this Policy, the terms "drugs" or "controlled substances" includes any illegal or illicit drugs, including the following: marijuana, cocaine, opiates, phencyclidine, or amphetamines.

The only exception is by doctor's prescription, and then only if the doctor has advised the employee that the drug will not adversely affect their ability to safely perform their duties. IN THE EVENT THAT AN EMPLOYEE HAS BEEN PRESCRIBED A DRUG WHICH HE OR SHE HAS BEEN ADVISED WILL ADVERSELY AFFECT HIS OR HER ABILITY TO SAFELY PERFORM HIS/HER JOB, HE OR SHE SHALL IMMEDIATELY REPORT THAT TO THEIR SUPERVISOR (WHO WILL REPORT IT TO PERSONNEL), AND THEY SHALL BE REASSIGNED OTHER DUTIES (IF WORK IS AVAILABLE) UNTIL THE PRESCRIPTION HAS EXPIRED.

III. TESTING REQUIREMENTS

All employees are required to completely comply with all testing requirements, as described below. "Compliance" is not satisfied if the employee refuses, interferes with, or alters a test in any manner.

Conditions of Drug and Alcohol Testing include the removal of an employee from his/her assignment if s/he refuses to take a required test. Refusal to submit to a drug and/or alcohol test is considered to be a positive test and actions will be taken that are commensurate with the positive test.

For additional CDL testing requirement, please see the Jackson County Substance Abuse CDL Policy.

Drug and alcohol testing is conducted in the following situations:

A. Pre-Employment Testing

Prior to the first time a candidate works for Jackson County all new hires maybe screened for controlled substances. The results must be obtained prior to the first day of employment. A positive result will disqualify the employee from further consideration for the vacancy or the eligibility list.

B. Job-Transfer

Prior to the first time an employee performs "sensitive" assignments as part of a job transfer or promotion, s/he will be tested. A positive result will disqualify the employee from further consideration for the position and may result in disciplinary action.

C. Reasonable Suspicion Testing

Employees are required to submit to a drug and/or alcohol test whenever the County has reasonable suspicion to believe that the employee is under the influence of or using alcohol or controlled substances anytime while at work.

County department heads, supervisors/managers receive on-going training to make observations concerning potential alcohol and/or drug use, including, but not limited to, factors such as the driver's appearance, behavior, speech, and body odors. The factors constituting reasonable suspicion will be documented by the supervisor at the time of the observation.

The employee under suspicion will be escorted by a County representative to the collection site for specimen collection. Upon completion of the collection process, arrangements will be made for a spouse, family member, or friend to escort the employee home. If none are available, the County will arrange for

a taxi to transport the employee to their home at the employee's expense, or make such other measures as deemed appropriate under the circumstances.

Alcohol and drug tests based on reasonable suspicion will be conducted as soon as possible following the observations. If the alcohol test is not administered within two hours, the County will be required to verify why the test was not administered. The alcohol test may not be taken after eight hours following the observed behavior, and the County will be required to verify its reasons for its failure to conduct the test within the eight hours.

No employee shall be allowed to perform duties until after the alcohol or drug test results are received by the County. If test results are available immediately and the employee receives a positive test, the employee is not to report to work, but is placed on unpaid suspension. If test results are not available immediately, the employee will be sent home on unpaid leave until the results are received by the County. The employee may elect to use paid vacation or personal time for the period until the test results are received. If the test comes back negative, the employee will be reimbursed for any missed unpaid time.

D. Post-Accident Testing

Employees must submit to post-accident/incident testing for drugs and alcohol in any accident/incident performed on county time when it meets one of the following criteria:

- Employee (driver) is involved in a vehicle accident where a citation was issued to the employee personally
- Employee (driver) is involved in a vehicle accident that involved a second party.
- Employee (driver) is involved in a vehicle accident that resulted in someone seeking medical attention
- Employee was involved in an accident/incident where damage to County property exceeds \$2000.
- Employee was involved in an accident/incident where damage to public property, other than County property, exceeds \$1000.

The employee involved in the incident/accident should contact their immediate supervisor. The supervisor or an outside law enforcement agency should respond to the scene to complete an initial observation and assessment of the accident / incident. The supervisor will need to determine the next course of action that will be taken.

If the employee is involved in an accident/incident in which testing is required, the employee is prohibited from consuming any alcohol until he or she has been tested and must remain at the site and available to the County for testing (unless emergency medical treatment is required). Any prescription medication(s) taken post-accident prior to being tested needs to be noted by the employee to their supervisor.

Law Enforcement personnel responding to an emergency call are not required to remain at their accident scene. The emergency call takes precedence. Post-accident investigation and testing may resume after the emergency call is completed.

If an accident/incident occurs while an employee is traveling to a training or seminar, the employee should contact their immediate supervisor to report the accident. The supervisor shall inform the County

Clerk/designee of the accident. The County Clerk/designee may waive the testing requirements if deemed appropriate for the situation.

All efforts will be made to have the employee tested for alcohol within two hours after the accident/incident. If that cannot be accomplished, further attempts must be made for the next eight hours. A drug test should be also conducted within 32 hours of the accident or the County will be required to document the reasons for the failure. The supervisor will need to complete a supervisor's post-accident investigative report when an employee is required to be tested under this subsection of the policy. The report should be forwarded to the Personnel Department and placed in the employee's personnel file.

No employee should be allowed to perform duties or drive a vehicle until after the alcohol or drug test results are received by the County. (see exemption for law enforcement emergency) The employee will be escorted by a County representative to the collection site for specimen collection. If a negative test result occurs employee may resume their normal job duties. If an employee receives a positive test, the employee is not to report to work, but is placed on unpaid suspension. If test results are not available immediately, the employee will be sent home on unpaid leave until the results are received by the County. The employee may elect to use paid vacation or personal time for the period until the test results are received. If the test comes back negative, the employee will be reimbursed for any missed unpaid time.

Upon completion of the collection process, if a positive test result occurs or test results are not immediately available, arrangements will be made for a spouse, family member, or friend to escort the employee home. If none are available, the County will arrange for a taxi to transport the employee to their home at the employee's expense, or make such other measures as deemed appropriate under the circumstances.

E. Return to Duty Testing

In the event that an employee who has refused a test or who has tested positive is not terminated and is allowed to complete the applicable treatment program described below, before he or she may return to work, he or she must be evaluated by a Substance Abuse Professional, participate in any required substance abuse assistance program, and be tested for drugs and/or alcohol. All results must be negative.

F. Follow-Up Testing

Any employee who is allowed to return to work following a positive test or a refusal, and has satisfactorily passed the return-to-duty testing and has completed the required substance abuse assistance programs, will be subject to additional follow up tests over and above the general random tests applied by the County. The dates, times, and conditions of the testing will be established by the Personnel Department and Department Head, in conjunction with any written follow-up testing programs and input from the Substance Abuse Professional.

IV. CONDUCT CONSTITUTING A "REFUSAL"

Any employee conduct which constitutes a "refusal" to participate in a required drug or alcohol test is considered a positive test result. The following summarizes some of the conduct which can constitute a "refusal":

A. General Refusals

The following are general examples of conduct that will be considered a "refusal":

- Failure to proceed immediately to the collection site and submit to testing for a required test
- Failure to remain at the test site until completion of the testing process
- Failure to provide a urine, saliva or breath specimen as required under this Policy
- Failure to permit a “monitored” or “observed” collection, when required under this Policy
- Failure to provide a sufficient urine or breath specimen without a valid medical reason
- Failure to submit to a medical examination to verify a valid medical reason for an inability to provide a sufficient specimen
- Failure to submit to a second test as directed by the County or a collector
- Failure to complete any required forms, including, but not limited to, certification forms, authorization and consent forms, or other forms
- Failure to otherwise cooperate with any part of the testing process

B. Invalid Urine Tests

Federal law requires procedures be followed (called “Validity Testing”) to ensure that no urine sample is subject to “tampering” or other conduct which might lead to an inaccurate test result. The following situations could lead to urine test results being classified as a “refusal”:

1. Diluted Specimens: A urine sample that exhibits unexpectedly low amounts of creatinine and specific gravity value for human urine will be considered to be a “diluted specimen”. A diluted specimen that tests positive is treated as a positive test. If a diluted specimen tests negative, the employee may be required to immediately submit to a second test. The failure to submit to a second test may be considered a “refusal”.
2. Substituted Specimen: A urine specimen that exhibits such low levels of creatinine and specific gravity value that are deemed to be inconsistent with human urine will be considered to be a “substituted specimen”. A substituted specimen is treated as a “refusal”.
3. Adulterated Specimen: A urine specimen that contains substances not expected in human urine, or a specimen containing expected substances, but in unexpectedly high concentrations will be considered to be an “adulterated specimen”. An adulterated specimen is treated as a “refusal”.
4. Invalid Specimen: A urine specimen where there is an unexplained interfering substance will be considered to be an invalid specimen. An employee must provide a legitimate medical explanation for the result. If none exists, and if the employee denies tampering, he or she must immediately submit to a second test under “direct observation” procedures. If the employee admits to having adulterated or substituted the specimen, it is treated as a “refusal”. If the invalid test results from circumstances unrelated to employee conduct (such as spilled specimens, damaged specimens, or specimens improperly collected), the test will be disregarded, but the employee must immediately submit a new specimen, but not under direct observation procedures.
5. Insufficient Urine Specimen: An employee who is unable to provide a sufficient urine specimen will be urged to drink up to 40 ounces of fluid over a three hour period to aid in providing a sufficient urine sample. If no sufficient sample can be obtained within three hours of arriving at the test site, the County is notified, and the employee will be required to be examined by a licensed physician within five working days to determine whether there is a valid medical reason for the inability to provide a sufficient specimen.

If no reason is verified, the test is treated as a “refusal”. (If there is a legitimate medical reason, the test is canceled.)

C. Insufficient Alcohol Breathalyzer Test

An employee who is unable to provide a sufficient breathalyzer specimen after three attempts will be required to be examined by a licensed physician within five working days to determine whether there is a valid medical explanation for the failure. If the failure is not based on any legitimate medical reason, the test is treated as a “refusal”. (If there is a legitimate medical reason, the test is canceled.)

V. CONSEQUENCES OF VIOLATIONS OF THIS POLICY

Employees who violate this policy are subject to a number of overlapping adverse consequences, some imposed by federal law, and others imposed by the County. These include the following:

A. Refusals or Interference with Testing

A refusal or interference with testing constitutes both a violation of this policy, and must be considered a positive test result under federal law. The consequences for positive test results are listed below.

B. Positive Alcohol Tests

Federal law imposes several consequences for a positive alcohol test.

1. .02 to .039 Breath Alcohol Concentration: Employees who have a positive test result of .02 or greater but less than .04 alcohol concentration may be removed from all duties for a period of at least 24 hours.
2. Alcohol Concentration of .04 or Greater: Employees with an alcohol concentration of .04 or greater must be removed from all safety sensitive functions immediately. Before being reassigned to any safety sensitive function for any employer, the employee must consult with a qualified Substance Abuse Professional, complete any treatment assigned by that professional, and submit to return to work and follow up testing.

C. Positive Drug Test

Any employee who tests positive for controlled substances must be immediately removed from duty. Before being reassigned to duty, the employee must meet with a qualified Substance Abuse Professional, complete any required treatment recommended by that professional, and submit to return to work and follow up testing.

D. Other Violations

Other violations of this policy shall result in corrective action imposed by the County.

E. Other Corrective Action

The County reserves the right to impose other corrective action, in addition to the consequences imposed by federal law, for any violations of this policy, up to and including termination of the employee.

VI. IDENTITY OF PERSONS RESPONSIBLE FOR ADMINISTERING THIS POLICY

The Personnel Department and the provider of the county’s choice will administer this policy and will have contact with drivers regarding the above procedures.

A. County Representatives

Please contact the Personnel Department for the name and address of our County representative.

In the event that employees need to contact the County after hours or if the Designated Employer Representative is unavailable, the following individual should be contacted:

Name: Black River Falls Memorial Hospital

Title: _____

Phone Number: 715-284-5361

B. Substance Abuse Professionals

Employees who test positive (or are considered to have tested “positive” as a result of a “refusal”) will be referred to a Substance Abuse Professional. Drivers will be required, before being reassigned to a safety sensitive function to comply with all of the following procedures:

- Submit to an initial face-to-face assessment and evaluation by the Substance Abuse Professional.
- The Substance Abuse Professional will refer the employee to an appropriate education and/or treatment program based on the initial assessment and evaluation. (This could include, but is not limited to, educational programs such as self-help groups (for example Alcoholics Anonymous), community lectures, drug and alcohol educational courses, outpatient counseling programs, after care programs, partial inpatient treatment programs or inpatient hospitalization.)
- The employee must complete the education and/or treatment program assigned by the Substance Abuse Professional.
- The employee must submit to a follow-up face-to-face reevaluation with the Substance Abuse Professional after completing the education or treatment program assigned to them.
- The employee must comply with follow-up drug and/or alcohol testing, as well as possible continuing education and/or treatment, as directed by the County (with input from the Substance Abuse Professional).

VII. PROCEDURES AND SAFEGUARDS USED IN CONDUCTING THE DRUG AND ALCOHOL TESTING

The County has adopted a multitude of procedures to safeguard the accuracy of testing procedures to protect employees from inaccurate results and inadvertent consequences. These safeguards include the County’s retention of qualified, trained personnel to conduct the drug and alcohol testing, retention of trained, qualified, and federally-certified laboratories to perform the analysis of urine samples, the internal training of the County’s supervisors and other personnel charged with administering this Policy, and other measures.

VIII. CONCLUSION

The County anticipates that this policy will serve to increase the productivity of its workforce, promote safety in the workplace and to our employees in the public, and advance the health and well being of our employees. We ask each of you to commit yourselves to this policy and together we can make it work.

Violation of this Policy may have severe consequences to the employee and also to the employee's family and dependents. Employees are urged to take this into consideration in their future actions.

The County is confident that this policy will not overburden its employees and will serve to increase safety and productivity in our workplace.

Appendix "A"

TESTING PROCEDURES AND SAFEGUARDS

The County complies with the drug and alcohol testing procedures prescribed herein. The County has also established additional safeguards to facilitate the accuracy of test results and to provide assurances to its employees.

A. Qualifications

One of the principal safeguards for our employees is federal regulations requiring qualifications, training, and certification for "collectors" (both urine and breath-alcohol), laboratory, Medical Review Officers, and County supervisors/managers. Jackson County retains collectors, laboratories, and Medical Review Officers that meet these requirements, and conducts necessary on-going training of applicable management staff. Medical Review Officer(s) for Jackson County is defined as a practitioner who is licensed or qualified to administer/conduct substance abuse screenings, exams, and results.

In addition, the law requires that collection "sites" meet very specific standards. Finally, documentation of the collection and testing process must be completed and preserved pursuant to federally-required forms and procedures.

B. Urine Collection Procedures for Drug Testing

The following is a summary of the urine drug screen collection and test process (note that these procedures are subject to change as may be required by federal law):

1. Employees are required to report immediately to the designated collection site for any required testing. The collector will notify the County of late arrivals.
2. In the event alcohol testing is also required, the alcohol testing must be done before the urine collection if practicable.
3. The employee must submit a picture ID to the collector or be identified by an employer representative. The employee may request the collector to present identification.
4. The collector will review the collection procedures with the employee and review the federally-required form which will be completed by both the employee and the collector.
5. The employee will then be required to remove outer clothing (such as overcoats, coveralls, suit coats, or hats), and will be required to store all personal belongings, such as briefcases, purses, and other items, in a mutually agreeable location.
6. The employee may be required to empty their pockets to display the items to the collector. If the collector determines that nothing can be used to adulterate a urine specimen, the items may be allowed to be returned to the pockets. If the collector identifies items that could be used to tamper with a specimen, the collector will require that the employee submit to a "directly observed" collection (unless the collector determines that the materials were brought in inadvertently).
7. The employee will then be instructed to wash and dry their hands. The employee will not have access to water or other materials to be used to adulterate or dilute the urine specimen after this point in the procedure.
8. The collector or employee will then unwrap a sealed "collection container". This is the only item that the employee is allowed to take into the room for urination.
9. The employee will be instructed to then enter the room used for urination, provide a specimen of at least 45 ml, not flush the toilet, and return the specimen as soon as the employee has completed the process. No one will be in the room with the employee except in the case of an "observed" or "monitored" collection.
10. The employee will then present the urine sample to the collector.

- a. There must be at least 45 ml of urine. If there is not, the collector will proceed with “shy bladder” procedures.
 - b. The urine sample must be within the federally-acceptable temperature ranges. If it is not, a new collection will be immediately required using “direct observation” procedures.
 - c. The collector will observe the specimen for signs of tampering. If tampering is indicated, the employee will be required to provide a new collection using “direct observation” procedures.
11. In the event that the employee cannot provide a sufficient amount of urine, the employee will be allowed up to three hours to provide another specimen. During that time, the employee will be allowed to drink up to 40 ounces of fluid. If the employee refuses to attempt to provide a second specimen, it will be designated a “refusal”. If the employee is unable to provide a sufficient specimen within three hours, the County will be notified and the employee will be required to submit to an evaluation by a licensed physician to determine if there is a medical explanation.
 12. In several situations (for example, urine sample not within federally-accepted temperature ranges, or evidence of tampering exists), the employee will be required to submit to “direct observation” collection procedures which include the following:
 - a. A person (known as the “observer”) will be required to specifically observe the employee’s urine go from the employee’s body into the collection container.
 - b. The “observer” may be the collector, but is not required to be the collector.
 - c. The “observer” is required to be the same gender as the employee.
 - d. If the observer is not the collector, the observer cannot take the specimen directly from the employee, but must watch the container while the employee submits it to the collector.
 13. After obtaining a proper urine sample, the collector will divide the urine sample into two specimen bottles, one used for the “primary” collection/testing, and the second used for “split-specimen” testing. A seal will be placed on the bottles, and the employee will be asked to initial the seals.
 14. The employee and the collector will then complete the remainder of the Federal Drug Testing Custody and Control Form, and that form will be placed with the specimen bottles for delivery to the laboratory.
 15. The laboratory will test for five drugs or classes of drugs:
 - a. Marijuana
 - b. Cocaine
 - c. Amphetamines
 - d. Opiates
 - e. Phencyclidine (PCP)
 16. The laboratory will also conduct “validity testing” to determine whether the sample was adulterated, substituted, or diluted.
 17. The laboratory will then issue one of the following findings regarding the urine sample:
 - a. The urine sample is negative
 - b. The sample was negative—diluted
 - c. The sample was rejected for testing (with an explanation)
 - d. The sample was positive (with the specific drugs noted)
 - e. The sample was positive (with the specific drugs noted and diluted)
 - f. The sample was adulterated (with an explanation)
 - g. The sample was substituted (with an explanation)
 - h. There was an invalid result (with an explanation)

18. The laboratory results are then conveyed to the Medical Review Officer (not to the County).
19. The Medical Review Officer will review the tests and determine whether there is a legitimate medical explanation for all confirmed positive, adulterated, substituted, or invalid test results. If there is a confirmed positive, adulterated, substituted, or invalid drug test, the Medical Review Officer will conduct a “verification interview” with the employee. During that interview, the employee may indicate any medications or other substances that the employee is using or medical conditions the employee reports having, that may have affected the test result. The Medical Review Officer may contact the employee’s physician and take all necessary and reasonable steps to verify any medical information that the employee presents. The Medical Review Officer may direct the employee to undergo further medical evaluation by the Medical Review Officer or another physician.
20. The Medical Review Officer will also inform the employee of his or her right to have the “split specimen” tested by another laboratory (at the employee’s cost).
21. The Medical Review Officer will attempt to reach the employee at least three times over a 24 hour period. If the Medical Review Officer is unable to reach the employee, the County will be notified and the County will attempt to contact the employee and inform the employee to contact the Medical Review Officer.
22. The Medical Review Officer will not verify a positive test result to the employer without communicating to the employee, unless the employee declines the opportunity to discuss the test result, more than 72 hours have passed since the County contacted the employee to advise him to contact the Medical Review Officer, or if neither the Medical Review Officer nor the County has been able to contact the employee within 10 days from the date that the Medical Review Officer received the confirmed test result.
23. If the employee elects to have the split specimen tested, he or she must notify the Medical Review Officer within 72 hours after being advised of their rights.
24. The Medical Review Officer will notify the County of the final test results, and the County will proceed as indicated in this policy.

C. Alcohol Testing Procedures

The following is a description of the procedures used to test for the employee’s possible use of alcohol (note that these procedures are subject to change as may be required by federal law):

1. Like the drug testing procedures, the employee must report immediately to the collection site for any required testing.
2. The employee must provide a picture ID or be identified by an employer representative.
3. The technician and the employee will then review the federally-required form, which will be completed by both the technician and the employee.
4. The alcohol testing is then performed in two stages, an initial or “screening” test, and a final or “confirmation” test.
5. The screening test can be performed using either a breath test or a saliva test, but either type of test must be performed with a device that has been pre-approved by the Federal government.
6. During this screening test, the technician will unwrap the mouthpiece (for a breathalyzer device) in front of the employee and ask the employee to blow into the mouthpiece for at least six seconds or until an adequate amount of breath has been obtained.
7. If a saliva test is used, the technician will open the package containing the device in front of the employee and will either allow the employee to insert the device into his mouth or will, with the employee’s permission, insert the device into the employee’s mouth (wearing approved gloves), and obtain the necessary amount of saliva on the test device.

8. If insufficient saliva is provided, the employee will be required to make another attempt. If the second attempt does not result in sufficient saliva, the County will be notified, and the employee will be required to submit to a breath testing device to perform the screening test.
9. If insufficient breath is provided, the employee will be instructed to make a second attempt. If there is insufficient breath after the second attempt, the collector may allow the employee to make a third attempt. If there is insufficient breath after three attempts, then, for initial screening, a saliva test may be used, but for the final testing, the employee will be directed to obtain, within five working days, an evaluation from a licensed physician to determine whether there is a medical explanation for the failure. If no medical explanation is provided, the test will be considered a “refusal”.
10. The employee will then be informed of the results of the breath or saliva screening test.
11. If the screening test result is less than .02 alcohol concentration, the test will be considered a negative and the employee will be dismissed.
12. If the screening test result indicates an alcohol concentration of .02 or higher, a confirmation test must be given.
13. Before the confirmation test is given, a “waiting period” of at least 15 minutes, but not more than 30 minutes, must occur. During this period, the employee is not allowed to eat, drink or put anything (such as a cigarette or chewing gum) in their mouth, or belch. Note: Careful compliance with the waiting period is for the employee’s benefit—the purpose is to prevent an accumulation of mouth alcohol leading to an artificially high reading. The confirmation test will be performed even if the employee has not complied with the waiting period instructions.
14. The confirmation test will be performed on a breathalyzer device.
15. The technician will conduct an air blank on the breathalyzer machine and show the reading to the employee. The reading should be 0.00. If it is not, a second test will be done. If that test does not reflect a 0.00 reading, the breathalyzer will be taken out of service and a different one used.
16. The technician will then open the mouthpiece and insert it into the device, and the employee will then be required to blow into the mouthpiece for a least six seconds or until an adequate amount of breath is obtained. (If insufficient breath is provided, the same steps as in the screening process will be followed.)
17. The technician will then complete the Alcohol Testing Form, indicating the results of the breathalyzer.
18. Results will be communicated to the County by the technician/licensed practitioner, and the County will proceed as indicated in this policy.

D. Record Maintenance

An additional safeguard is reflected in the procedures for safekeeping various records relating to the collection and testing process. The following is a description of the records that are maintained by the County, and the length of time for which the records are maintained:

<u>Retention Period</u>	<u>Document</u>
5 Years	<ul style="list-style-type: none"> ▪ Alcohol test results indicating a breath alcohol concentration of 0.02 or greater ▪ Verified positive drug test results ▪ Refusals to submit to required alcohol or drug tests ▪ Required calibration of evidential breath testing devices (EBT’s) ▪ Substance abuse professional’s (SAP’s) evaluations and referrals ▪ Annual calendar year summary

	<ul style="list-style-type: none"> ▪ All follow-up tests and schedules for follow-up tests
3 Years	<ul style="list-style-type: none"> ▪ Information obtained from previous employers concerning drug and alcohol test results of employees
2 Years	<ul style="list-style-type: none"> ▪ Records related to the collection process and training ▪ Records of the inspection, maintenance, and calibration of EBT's
1 Year	<ul style="list-style-type: none"> ▪ Negative and cancelled drug test results ▪ Alcohol test results indicating a breath alcohol concentration less than 0.02

All results are confidential, available only to the Medical Review Officer and authorized personnel at the County. Results may not be released to anyone else without the written permission of the employee, except:

1. Upon request by the DOT or a state agency as part of an accident or investigation.
2. Without names for statistical evaluations.
3. For training records.

**Jackson County
REASONABLE SUSPICION REPORT**

Employee _____ Date Observed _____ am pm

Dept _____ Position _____ Time Observed _____ am pm

Location/Address of
Incident _____

With another witness present, follow the steps below

Step One: Check all observations that are applicable.

	YES	Slight	Strong	None
Odor on Breath/Clothing	_____	_____	_____	_____
Alcohol Breath	_____	_____	_____	_____
Marijuana Odor	_____	_____	_____	_____

Eyes:

_____ Bloodshot	_____ Glassy	_____ Watery	_____ Droopy
_____ Closed	_____ Fixed Pupils	_____ Dilated Pupils	

Speech:

_____ Loud	_____ Mumbling	_____ Incoherent	_____ Rapid
_____ Confused	_____ Slow	_____ Slurred	_____ Stuttering
_____ Whispering	_____ Slobbering	_____ Rambling	_____ other _____

Attitude:

_____ Excited	_____ Talkative	_____ Hyperactive	_____ Lethargic
_____ Bursts of Laughter	_____ Silent	_____ Sleepy	_____ Submissive
_____ Cocky	_____ Profane	_____ Sarcastic	_____ Fighting
_____ Erratic	_____ Indifferent	_____ Insulting	_____ Hostile
_____ Irritable	_____ Crying	_____ Nervous	

Walking/Balance/Movement:

_____ Staggering	_____ Falling	_____ Falling	_____ Staggering Knees
_____ Bumping into Objects	_____ Fumbling	_____ Jerky	_____ Slow

Face/Skin:

_____ Flushed	_____ Pale	_____ Sweaty	_____ Clammy
_____ Dry Mouth	_____ Dry Nose	_____ Dry Lips	_____ Bloody Nose
_____ Runny Nose			

Appearance/Clothing:

____Partially Dressed ____Messy ____Dirty ____Stains on Clothes

Step Two:

Opinion based on observations by the supervisor and management witness:

- 1. Impaired? ____Yes ____No ____Uncertain
- 2. Fit for Work? ____Yes ____No ____Uncertain
- 3. Recommend drug/alcohol screening and medical assessment?
 ____No ____Yes - If yes, ask the employee following question:

Would you submit to a medical assessment to include a urinalysis and/or blood test? ____Yes ____No

- 4. If yes to above question,
 - A. Check with the Personnel Department for arrangements.
 - B. Make appropriate arrangements for employee to be taken to the testing site.
- 5. If the employee refuses to sign the agreement for testing, the employee should be told that by refusing, he or she may be subject to further disciplinary action, up to and including termination.

Remarks: _____

Printed Employee Signature
Date Time

Employee Signature

Printed Supervisor Signature
Date Time

Supervisor's Signature

