



## MASON COUNTY FIRE DISTRICT #4

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TITLE: DRUG FREE WORKPLACE

CHAPTER: 2000 NUMBER: 2130 APPROVED: 10-07-2008

APPROVED: Signature on file Bob Burbridge, Chief

### PURPOSE

The purpose of this policy is to protect the health and safety of employees and members as well as the security of equipment and property by ensuring that all employees and members are free of alcohol and controlled substances while on duty. As part of the Fire District's commitment to safeguarding the health of its members and to supply its customers with the highest quality service possible. This policy establishes the Fire District's position on the use or abuse of alcohol, drugs, or other controlled substances by its members. The Fire District further affirms that all members are entitled to a work environment free of hazard or any other detrimental effect resulting from the use of unlawful drugs or alcohol by any person who is a member of the Fire District.

### PROHIBITED CONDUCT

The manufacturing, distribution, dispensation, possession and use of unlawful drugs or alcohol on district property are **strictly prohibited**. A policy of eight hours from use to reporting for duty should be properly followed.

Members must notify the Fire District the next day of any conviction for a drug violation.

Violation of this policy can result in disciplinary action, up to and including termination of employment or membership. Continued poor performance or failure to successfully complete an assigned rehabilitation program is grounds for termination.

### SCOPE

Our goal is to help members with problems related to alcohol or substance abuse to seek assistance and receive the required treatment so that they may continue their employment. To help accomplish this goal, we have adopted an Employee Assistance Program (EAP). The EAP is a counseling and referral program to help employees deal with a variety of personal problems, including drug and alcohol problems.



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Seeking help through EAP will not jeopardize employment with the Fire District. The Fire District will provide all employees with the name, address, and phone number of the EAP. In some cases, the Fire District may require employees to participate in EAP as a condition of their employment. The Fire District's focus is to help those employees seeking treatment and rehabilitation through the Employee Assistance Program (EAP).

### ***Employee Assistance Program Contact Information:***

***Contact the Office Manager***

### **DRUG AND ALCOHOL TESTING**

The Fire District has established the following procedure for the testing of drug and alcohol use among its employees and applicants for employment.

#### ***Drug and Alcohol Testing Situations***

The Fire District may require drug and/or alcohol testing in the following situations:

1. **Post Accident:** The Fire District may require members to submit to a drug and alcohol test following involvement in any accident involving property damage or physical injury which requires off-site medical attention. The only possible exception to this policy will be if the supervisor reasonably believes the injury was due to circumstances beyond the control of the employee.
3. **Reasonable Suspicion:** The Fire District may require a member to submit to a drug and alcohol test when there is reasonable suspicion that drugs or alcohol may impair a member's performance. A Fire District supervisor must base reasonable suspicion on direct, firsthand observations. Reasonable suspicion must be based on specific personal observations the supervisor concerning the appearance, behavior, speech, breath or body odor of the member.

To insure the safety of a possibly impaired member, a supervisor shall accompany the member to the test facility whenever a member is requested to submit to reasonable suspicion testing. The member will be provided with the option of transportation to his or her home following the testing.

If a supervisor confronts personnel concerning a reasonable suspicion of impairment, the member is not to return to duty until fitness for duty is established. If the drug and



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alcohol test indicates the presence of drugs and/or alcohol in member's system, the time the member spends between his/her release from the clinic and the receipt of a confirmed positive drug or alcohol test will be treated as a disciplinary suspension.

An *employee* will be paid for the time lost from work if the test results of the drug and alcohol test are negative. If the time off is due to disciplinary suspension for violation of a work rule the time off will not be paid.

### ***Testing Procedure***

The Fire District has taken steps to ensure that collection and testing procedures under this policy protect members' rights to fairness, dignity, accuracy and confidentiality. All collection and testing procedures used in conjunction with this policy will comply with the regulations.

### **Consequences of a Positive Test**

If the test result is positive, the member will be immediately suspended for violation of Fire District policy. The employee must then agree to sign a "Last Chance Agreement" and seek treatment. If the member does not, then the employment relationship with the Fire District will end.

The member who enters a Last Chance Agreement and is allowed to pursue rehabilitation must meet with our Employee Assistance Program ("EAP"). The EAP will assess the nature and severity of the member's problem and establish a treatment program.

The Fire District will provide an unpaid Family Medical Leave of absence for an *employee* needing an extended period of time off work as part of his or her rehabilitation program, if the employee has exhausted his or her accrued sick leave and vacation. Failure to complete the program or to cooperate with the EAP will be deemed a breach of the "Last Chance Agreement" and will result in immediate termination.

Before returning to work, the member who violated this drug and alcohol policy must submit to a drug and alcohol test to confirm that the member is alcohol and drug free before the member can report for duty.

After returning to duty, the member will be required to submit to unscheduled periodic testing to include a minimum of four tests per year for two years following the member's return to work. Refusing to take a test during this period will be considered a breach of the Last Chance Agreement and will result in immediate termination.



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If a member under a Last Chance Agreement tests positive for alcohol or drug use, the member will be terminated. In addition, the violations of any provision of a Last Chance Agreement will be grounds for termination from membership as determined by the Fire District in its sole discretion.

Medical benefits may cover some costs of this treatment. Any costs accrued that are not covered by insurance will be the sole financial responsibility of the member.

**ALL INFORMATION WRITTEN OR OTHERWISE RECEIVED THROUGH A SUBSTANCE ABUSE TESTING PROGRAM IS CONFIDENTIAL AND ALL PERSONS WHO RECEIVE OR HAVE ACCESS TO INFORMATION CONCERNING TEST RESULTS SHALL KEEP THE INFORMATION CONFIDENTIAL.**