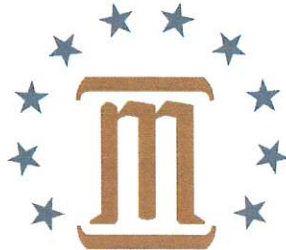


City of Montgomery



**DRUG & ALCOHOL ABUSE  
POLICY & PROCEDURES**

Risk Management Department

Revised March 1, 2022

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# **DRUG AND ALCOHOL ABUSE POLICY AND PROCEDURES**

## **The City of Montgomery**

### **Purpose**

The City of Montgomery is committed to a Drug and Alcohol-Free work environment. Therefore, the manufacture, distribution, dispensation, possession and use of illegal drugs and alcohol in the workplace is prohibited. The City also recognizes that use and abuse of drugs and alcohol outside of the workplace may also cause problems in the workplace. This policy will further the overall interests of the City by (1) ensuring public safety; (2) developing public trust and integrity; (3) discouraging corruption; (4) developing high morale and safety in the workplace; (5) preventing a loss of productivity; and (6) minimizing or eliminating liability.

The City is concerned for the well-being of its employees and believes it has a responsibility to provide a safe, healthy, and productive working environment for all of its employees.

### **Objectives**

- To establish a procedure to achieve a drug-free workforce and provide a workplace free of alcohol and substance abuse.
- To establish drug testing procedures for pre-employment drug screens for safety-sensitive positions.
- To enhance the drug screening process where reasonable suspicion that an employee has certain illegal or illicit substances in their system while on duty or in the performance for the City may be addressed.
- To establish a procedure for random drug screens of employees in safety-sensitive positions that significantly impact the safety of themselves or others.
- To enhance the procedures for post-accident drug screening.
- To establish a procedure for fit-for-duty medical examinations including the employee that returns to work following rehabilitation or extended leave.

### **Scope**

This policy supersedes any drug or alcohol testing policies already in place. It is designed to supplement and is not intended to repeal any policies utilized by the Montgomery Police or Fire Departments, except for the Section under the Drug and Alcohol Testing Procedure. Any individual who is in or applying for a safety-sensitive position, all employees under reasonable suspicion, all post-accident employees that drive a City vehicle, random screenings for safety-sensitive jobs, and drivers that require a CDL must adhere to this drug and alcohol abuse policy.

### **Confidentiality**

The City of Montgomery's testing guidelines and procedures have been adopted primarily for administrative purposes. The testing is not designed to enforce the criminal laws of the State of Alabama or to bring criminal charges against an employee suspected of using drugs. The program seeks to provide the employee with a regimen of testing that is minimally intrusive while still providing accurate results. The goal is to balance the integrity and benefits of testing procedures with the employee's right to privacy. An individual's test results will not be released unless the employee agrees or a court or

administrative body orders such release. The City may use the information for internal administrative purposes; however, the City will strive not to breach the employee's expectation of privacy.

The following policy has been adopted by the City of Montgomery in the furtherance of its goal to establish a drug-free workplace.

### **Responsibility**

The implementation of, and compliance with, the City of Montgomery Drug and Alcohol Abuse Policy is primarily the responsibility of City department heads. Each department head is responsible for ensuring that all aspects of this policy are followed. In addition, the department head should assign a contact person in each department who will receive confidential drug testing information for their department. The employee assigned this responsibility who violates the policy is subject to corrective action up to and including termination of employment.

The City of Montgomery Director of Risk Management, or designee, will be available to assist each department head in implementing this policy.

### **Illegal Drug or Alcohol Use in Workplace**

If it is determined that an employee used, consumed, possessed, or manufactured: (a) illegal drugs either during work hours or while on duty, or (b) alcohol, during work hours or while on duty if such use or consumption in any way impairs their ability to perform their job duties, the City will terminate that employee. A drug screen or breath alcohol test will be performed, if possible, to confirm the consumption or use by the employee. An illegal drug, for purposes of this policy, shall include cocaine, marijuana, PCP, opiates, amphetamines, ecstasy, as well as any prescription narcotic, opiate, or amphetamine-based drug for which the employee does not have a current, valid prescription in their name including "use at your own risk" oils that if used could result in a positive test. Furthermore, in adherence with Title 49 Code of Federal Regulations Part 40, a breath alcohol concentration of .04 or greater shall constitute a positive finding for purposes of this policy.

Drugs such as CBD oils are considered "use at your own risk", meaning if the use of oils results in a positive test based on set standards, then the user is subject to all the Drug and Alcohol Abuse policies in place.

## **I. DRUG AND ALCOHOL TESTING AND PROCEDURES**

The City is committed to ensuring a safe, healthy, productive and efficient work environment for its employees, volunteers and visitors. Therefore, the success of this policy depends on the alertness and personal commitment of all employees and staff. All employees are expected to obey safety rules and to exercise caution in all work activities. Employees are to report any unsafe or unhealthy conditions including building and grounds managed by the City and any on-the-job or work-related injury or illness to their supervisor. Where appropriate, failure to report any violation of safety standards or who may have caused a hazardous or dangerous situation may be subject to disciplinary action, up to and including immediate termination of employment or may be denied worker's compensation benefits.

Detection of drugs or the presence of alcohol will be considered as "being under the influence." Refusal to submit to a drug test may result in loss of worker's compensation benefits and/or disciplinary action up to, and including, termination of employment. The drug testing policy should be made available to all

employees. Employees will be asked to sign an acknowledgement and consent form indicating the receipt of this policy. Questions concerning this policy or its administration should be directed to the Risk Management Department.

Under the City of Montgomery Procedures and Guidelines, employees will be subject to the following drug and alcohol screenings:

- (a) Pre-Employment (safety-sensitive positions)
- (b) On-The-Job Injuries (all employees)
- (c) Reasonable Suspicion (all employees)
- (d) Post-Vehicular (safety-sensitive positions)
- (e) Random Testing (safety-sensitive positions)

Drug tests are available Monday through Friday at the City's Wellness Center during the hours of 7:30 a.m. until 4:30 p.m. If a drug test is needed during weekends or holidays, employees should be sent to Jackson Hospital.

In addition, the following testing must be implemented for commercial drivers pursuant to the Omnibus Transportation Employee Testing Act, Public Law 102-143, which amends the Commercial Motor Vehicle Safety Act of 1986. All non-commercial drivers are required to follow this provision due to their authorized operation of City owned vehicles and not as a result of Federal Law.

#### TEST TYPE

The testing may include, but not limited to the collection of urine, hair (non-pubic), and/or breath.

Drug tests are performed by cutting hair follicles. In tests involving hair samples employees or applicants without enough hair are asked to provide a urine sample for the initial visit and if there is still not enough hair, another urine sample will have to be provided 30 days later and 60 days later after the initial urine sample if no hair is available.

Police & Fire Department – after 1st urine test, the next test is 30 days later from a hair sample.

#### **A. PRE-EMPLOYMENT TESTING (Safety-Sensitive):**

All potential applicants being considered for employment, work, training, or volunteer opportunities in safety-sensitive positions must adhere to a pre-employment drug test consisting of a hair follicle. Drug testing requirements for safety-sensitive positions are identified in the job announcement. The applicant will need to comply with the pre-employment drug testing procedure and receive a negative test result to move forward in the hiring process.

The Pre-Employment Drug Testing form must be sent with the applicant and must be completed in its entirety to include the applicant's legal name, department, and department account number for drug test charges. All drug tests must be completed within thirty (30) days of the first day of employment. If a submitted drug test is more than thirty (30) days before the first day of employment, the applicant must re-test which will be a urine specimen before the first day of employment. However, if it is more than 60 days, the applicant must provide another hair follicle sample.

All Police and Fire Department applicants must undergo a pre-employment drug test within forty-five (45) days of the first day of employment. If a submitted drug test is more than forty-five (45) days before

the first day of employment, the applicant must re-test via urine specimen prior to the first day of employment. If the test was performed more than 60 days prior to the first day of employment, the applicant must complete another hair follicle sample.

Any individual that has not been an active employee for more than ninety (90) days is treated as a new applicant for drug testing purposes.

All potential employees of the City of Montgomery must sign an acknowledgement and consent form that he/she has received and read the Drug & Alcohol Abuse policy. This form will be kept in the employee's department personnel file.

All drug and alcohol testing procedures shall be in accord with rules and regulations of the testing or collection facility. The applicant must provide a picture identification and sign the Psychomedics Forensic Drug Testing Custody and Control Form (CCF or Chain of Custody Form). The donor consents to the sample and completes Step 3 of the form by certifying and authorizing the release of test results. By signing the form, the donor understands/agrees to the sample (hair follicle).

## RESULTS

The Medical Review Officer (MRO) will contact the applicant if the drug test is positive.

The MRO is required to contact the applicant if there is a confirmed positive test result before reporting the results of the test to the employer. If the applicant has a plausible explanation for the test result showing positive (i.e., legal use of prescription or nonprescription medication etc.), as determined by the MRO, the MRO will report the test result as negative to the employer. The MRO cannot be an employee of the testing laboratory.

### **All Prescription or Non-Prescription Medication will be verified if the test shows positive results.**

The drug or alcohol test results will be forwarded to the City's Risk Management Department by the testing facility. The reports will be sent to the employee's department head or designee and are to be kept secure and confidential, in a separate file, for at least three years. Each department head will assign up to two other employees access to these files. Also, these designated employees must sign a statement acknowledging the need to maintain the confidentiality and privacy of these files. No other employee shall have access to these files without the express authorization of the Mayor.

Risk Management will inform the department within five working days after receiving a positive test result confirmed by the MRO provider. The department shall inform the employee or job applicant in writing of the positive test result, the consequences, and the options available to the employee or job applicant. A copy of the test results will be provided to the employee or job applicant upon request.

If an applicant's drug test results come back positive, the applicant will not be eligible for hiring for a period of five (5) years.

The Risk Management Department should be contacted to schedule a pre-employment drug test if the applicant lives out of town.

### **B. ON-THE-JOB INJURY TESTING:**

Any employee who has caused, contributed to, or is involved in an on-the-job-accident involving injury, illness, or property damage may be subject to a drug screen and/or breath alcohol test pursuant to the City

drug and alcohol abuse policy. All injuries should be reported immediately to the supervisor or department head. Failure to submit a required drug screen in a timely manner by the employee can subject the employee to termination and/or denial of workers' compensation benefits.

A drug screen will be performed after each and every on-the-job injury that is treated by a physician that results in a workers' compensation claim. The test result must be verified by a qualified medical review officer (MRO). Furthermore, if the physician or supervisor has reasonable suspicion to believe that the injured employee is under the influence of alcohol, a breath alcohol test will be administered as well. The injured employee must submit to the breath alcohol test immediately upon request absent an overriding cause for delay. Failure to adhere to these time constraints may subject the employee to termination of employment and/or denial of worker's compensation benefits.

### TIMELY REPORTING

Employees should immediately notify their supervisor, regardless of how insignificant the injury may appear, and submit to a drug screen within twelve (12) hours from the time of injury. If an employee files a report of injury that is not within this twelve (12) hour timeframe, the supervisor should be notified for "Failure to Timely Report an Accident". The department should notify the Director of Risk Management, or designee, for further instructions. In the event the drug screen performed is not within the 12 hour reporting timeframe, the sample should reflect usage when the accident actually occurred, not a sample that only reflects the most recent hours or days.

Failure to adhere to these time constraints may subject the employee to termination of employment and/or denial of worker's compensation benefits. The decision to approve/deny worker's compensation benefits will be based on the sum total of the facts and circumstances and submission to a drug screen.

**All doctor visits must be preauthorized.**

### **C. REASONABLE SUSPICION DRUG TESTING:**

The City of Montgomery shall drug test employees when reasonable suspicion exists. As a City employee, a drug screen and/or breath alcohol test will be performed. These tests must be in accordance with the City's drug and alcohol testing procedure to include verification of the test results by a qualified Medical Review Officer (MRO) as defined in 49 CFR Part 40.

Supervisors are required to complete the Reasonable Suspicion Drug Test Request Form and forward to the department head to be signed. This completed form is then sent to the Director of Risk Management or designee to setup the drug screen with the City's Wellness Center.

The request form must be made available to the employee, at any time, upon request.

### **D. POST VEHICULAR ACCIDENT (Safety-Sensitive):**

An authorized driver with the City of Montgomery may be given a drug screen and breath alcohol test following any vehicular accident involving a commercial or other vehicle owned by the City of Montgomery where there is loss of life, bodily injury, or property damage in excess of \$100.00. The testing will follow the on-the-job injury testing procedures to include verification by an MRO.

### **E. RANDOM TESTING (Safety-Sensitive):**

All employees who work in safety-sensitive positions shall be subject to random drug testing. All employees in these positions shall be eligible for each random selection. The random testing shall be computer generated, or other nondiscriminatory method using random names, and will be conducted in phases and will ensure the federally mandated percentage of commercial drivers are tested annually.

Drug testing shall be evenly distributed over the course of a year for all safety-sensitive positions. Employees who are considered to hold safety-sensitive positions have been identified as such. These positions include, but are not limited to, having or requiring direct access to a controlled substance, access to NCIC information, and positions where the employee's action or inaction directly affects public safety, and/or employees. Should the status of these positions change, the department head must notify the Risk Management Department.

All authorized drivers of City owned vehicles, commercial or otherwise, shall be subject to random drug and alcohol testing during work hours. The City of Montgomery's Director of Risk Management, or designee, shall submit at random a list of commercial and other authorized drivers to each applicable department for testing. All test results are verified by the MRO. The Director of Risk Management will be responsible for ensuring that all technical aspects of the random testing follow U.S. Department of Transportation rules and regulations.

## **II. DRUG AND ALCOHOL ABUSE TREATMENT**

If an employee voluntarily admits to abusing alcohol, or the use of illegal drugs, or other mood or mind altering substances and desires treatment, that employee may request treatment from their supervisor or director of his/her department or request help from a medical provider outside the department. This request shall be kept confidential. The City of Montgomery supports such requests for help and will accommodate the needs of such employees. There will be no disciplinary action taken against an employee for requesting such treatment as long as such request is made prior to any of the following having occurred: an alleged violation of this policy, any City mandated drug screen or breath alcohol test request, and/or the arrest of such employee for a drug or alcohol related offense or crime. An employee shall be permitted to take advantage of the provisions of this sub-paragraph on no more than two (2) occasions during employment with the City. Treatment is defined as the admission to a recognized inpatient or outpatient rehabilitation program and the subsequent follow-up care. Upon completion of treatment, the employee must adhere to all aftercare contracts and agreements imposed by the healthcare provider and the Revised Drug and Alcohol Abuse policy and may be subject to a random drug screening. If the employee does not adhere to the terms and conditions of these agreements, disciplinary action, up to and including termination, may be brought against the employee. If an employee enters an employee assistance program, or a drug rehabilitation program, as a condition of continued employment after a confirmed, positive drug test, the employer must require the employee to submit to a random drug test, at least once per year for a two-year period after completion of the program.

The City's substance abuse program includes several components to support its efforts to remain drug-free, including:

- Supervisory training;
- Employee awareness programs;
- Drug testing of all safety-sensitive applicants before employment;
- Drug testing after accidents involving injury and/or property damage;



- Reasonable suspicion drug testing when a supervisor suspects that an employee is “under the influence” during working hours;
- Drug testing on a random basis; and
- An Employee Assistance Program (EAP)

In compliance with the Department of Transportation, 49 CFR Part 40, the City of Montgomery shall obtain an FTA Covered (Transportation and Fleet Maintenance) applicant’s written consent to communicate with their previous employer regarding prior drug and alcohol testing records using the City of Montgomery Release of Information Form. A response to this request must be received before the hiring process will commence.

### **III. MISCELLANEOUS**

One of the goals of our drug free workplace program is to encourage workers to voluntarily seek help with alcohol and/or drug problems. If, however, an individual violates the policy the consequences are serious.

#### **A. CONSEQUENCES AND SANCTIONS**

If an employee is suspended under this policy, the employee shall, within the first five (5) days of the suspension, agree to and undergo an assessment by a medical professional, selected by the City of Montgomery, to determine whether the employee will benefit from substance abuse treatment. If such professional recommends treatment, the employee shall be given prompt written notice of such recommendation and shall be given up to seventy-two (72) hours from receipt of notification to comply with such recommendation. A failure on the part of said employee to comply with such recommendation, in a timely fashion, as provided for in this sub-paragraph, may result in a forfeiture of rehabilitation benefits.

All positive urine or hair specimens will be kept by the lab, to the maximum degree possible. The testing facility retains the test for at least thirty (30) days following the written report to the City. Any employee whose test results are positive may secure the split-urine specimen sample or in the case of hair follicle test, a “safety net” comparison re-test may be conducted. The employee should notify the Director of Risk Management or designee of such a request. The second test will be performed at the expense of the employee and will conform to commercially acceptable practices.

This policy also constitutes the City’s warning and notice that unemployment benefits shall not be allowed to an employee having a confirmed positive drug test or an employee who refuses to submit to or cooperate with a drug screen. Also, if an employee knowingly alters or adulterates a drug test (urine) specimen, Section 25-4-78 of Alabama Unemployment Compensation Law states that a confirmed positive drug test that is conducted and evaluated according to standards set forth for the conduct and evaluation of such tests by the U.S. Department of Transportation in 49 C.F.R. part 40 or standards shown by the employer to be otherwise reliable shall be a conclusive presumption of impairment by illegal drugs. No unemployment compensation shall be allowed to an employee having been warned that such a positive test could result in termination pursuant to a reasonable drug policy. Further, no unemployment compensation benefits shall be allowed if the employee refuses to submit to or cooperate with a drug test as set forth above, or if the employee knowingly alters or adulterated the specimen.

If an employee tests positive for the use of illegal drugs that were used, consumed or ingested outside of work hours, or is under the influence of alcohol consumed outside of work hours but impairing behavior during work hours, that employee will be disciplined as follows:

- a. **The first violation shall result in the recommendation of termination of employment.** The Mayor shall have the discretion, based upon the nature of the employee's work responsibilities, prior work history, circumstance of the positive finding, and/or other information to discipline the employee in any other manner deemed appropriate to include, but not limited to, immediate termination of employment. Prior to an employee's returning to work after a positive drug or alcohol screen, the employee must first take and pass a subsequent drug or alcohol test. Any number of follow-up tests can be administered to the employee without notification during the twelve (12) month period following the return to work.
- b. **The second violation shall automatically result in termination.** A violation by a commercial driver may also result in suspension of the driver's Commercial License based upon U.S. Department of Transportation rules and regulations.

## **B. REFUSAL TO SUBMIT TO A DRUG TEST**

For pre-employment drug tests, an applicant has the right to refuse to submit to a pre-employment drug test; however, the City will not consider the applicant for employment who so refuses.

The City will consider the following conduct by an applicant and /or employee as a refusal to submit to a drug test:

- Refusing or failing to appear to substance abuse test within a specified time.
- Failing to undergo screening process as directed by the MRO.
- Failing or declining to take a second drug test, directed by the City or collector.
- Adulterating or substituting a urine sample.
- Failing to cooperate with any part of the testing process such as delaying the collection, testing or verification process.
- Attempts to obstruct or manipulate the testing process.
- Failing to remain at the testing site until the testing process is complete.
- Intentionally cutting or removing hair thus making the test reasonably impossible, without a valid medical or other excuse.

## **IV. DEFINITIONS**

### **Accident**

An unexpected or unintended event resulting in a time loss for personal injury or significant property damage.

### **Alcohol**

The intoxicating agent in beverage alcohol, ethyl alcohol or other low molecular weight alcohols including methyl or isopropyl alcohol.

### **Drug Testing Custody and Control Form**

A form signed by an applicant and/or employee to give permission for completion of a drug test.

**City Authorized Driver**

Any employee authorized to drive a City commercial or other vehicle owned by the City on an ongoing basis.

**City Premises or Worksites**

Includes all property, building, structures, job sites, parking lots, means of transportation, motor vehicles, equipment, and machinery owned, leased or otherwise in possession of the City of Montgomery.

**City Investigation**

A fact finding review, conducted by the Office of City Investigations of the accident and/or accident site and the circumstances leading up to and resulting in the accident.

**Controlled Substances**

Includes all substances covered by the Federal Drug Abuse Prevention and Control Act (21 U.S.C. 801 et seq.) or the Alabama Controlled Substance Act. Controlled substances include, but are not limited to, amphetamines, marijuana, barbiturates, methadone, benzodiazepines, methaqualone, morphine, codeine, and anabolic steroids. A controlled substance is “unauthorized” if the employee does not have a valid prescription for that substance at the time of its use or possession.

**Drug-Free Workplace**

Every site for the performance of work for or on behalf of the City of Montgomery which city employees are prohibited from engaging in the unlawful manufacture, distribution, dispensation, possession, sale, or use of drugs or banned substances

**Follow-up Testing**

Additional test as required by the Department of Transportation (DOT) for a specified period of time. Required testing as ordered by the MRO.

**Hair Follicle Testing**

With a ninety (90) day detection period, hair follicle drug testing provides the most accurate indication as to whether or not an employee or potential employee has a habitual drug problem or has used illegal substances within the past three months. Hair drug screening can identify a range of drugs including cocaine, opiates, PCP (angel dust), marijuana, amphetamines, and basic prescription drugs.

**Illegal Drugs**

Any unauthorized controlled substances including, but not limited to, heroin, cocaine, crack cocaine, cannabinoids (Marijuana, THC, PCP (phencyclidine) and LSD (lysergic acid diethylamide)

**Job Applicant Testing**

All final candidates applying for employment with the City or persons to whom employment has been offered must be tested for safety-sensitive positions.

**Medical Review Officer (MRO)**

A licensed physician authorized by the City of Montgomery, who evaluates a donor's test result, together with his or her medical history or any other biomedical information, and makes the final determination of the donor's test results.

### **Negative Drug Result**

The result reported by the certified laboratory to the MRO when a specimen contains no drug, or the concentration of the drug is less than the cutoff concentration for the drug or drug class and the specimen is a valid specimen.

### **Positive Drug Result**

The result reported by the certified laboratory to the MRO when a specimen contains a drug or drug metabolite equal to or greater than the cutoff concentrations.

### **Reasonable Suspicion Testing**

Drug tests conducted following any observed behavior creating "reasonable suspicion." Some examples are:

- Direct observation of drug/alcohol use, or the symptoms of being under the influence of a drug or alcohol.
- Abnormal behavior while at work or significant deterioration in work performance

### **Routine Fitness-For-Duty Testing**

Ordinarily annual physical fitness for-duty examinations must include drug testing (i.e., fire fighters, police officers).

### **Safety-Sensitive**

A safety-sensitive position refers to a job in which the employee is responsible for his/her own safety or other people's safety. Safety-sensitive generally means that a position involves some aspect of heightened danger that requires an employee's full and unimpaired skills and judgment to safely execute his/her job. The word safety has the generally accepted meaning of freedom from harm or danger; the condition of being protected from or unlikely to cause danger, risk, or injury.

### **Specimen**

Hair/urine, used to reveal the presence or absence of drugs or their metabolites, as approved by the United States Food and Drug Administration or the Agency for Health Care Administration.

### **Urine Testing**

Urine drug tests are able to detect a range of illegal substances, including cocaine, marijuana, amphetamine, PCP, opiates and many others. If an individual has used one or more of these substances in the past week, presence of the drug will register on the exam.

# **Drug & Alcohol Abuse Policy & Procedures**

## **List of Appendices**

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| <b>Appendix A</b> | <b>Pre-Employment Drug Test Form</b>               |
| <b>Appendix B</b> | <b>Employee Acknowledgement Form</b>               |
| <b>Appendix C</b> | <b>Employee Confidentiality Statement</b>          |
| <b>Appendix D</b> | <b>Reasonable Suspicion Drug Test Request Form</b> |



# CITY OF MONTGOMERY PRE-EMPLOYMENT DRUG TESTING FORM

PLEASE TYPE OR PRINT NEATLY!

\_\_\_\_\_  
Applicant's Full Name

\_\_\_\_\_  
Date Sent

\_\_\_\_\_  
Job Title

\_\_\_\_\_  
Job Code (CI-XXXX)

\_\_\_\_\_  
Department

\_\_\_\_\_  
Drug Test Account # (001XXXX-73191)

The above applicant is being considered for a safety-sensitive job position with the City of Montgomery; and therefore, should report to the City Occupational Center for a pre-employment drug test.

Location: **Premise Health**  
**310-B South Hull Street**  
Hours of Operation:  
**Monday – Friday**  
**7:30a – 11:30a & 1:00p – 4:30p**

If this test is more than 30 days after the first test, select "Follow-Up".

Follow-Up (Urine Sample Only)

Department Representative: \_\_\_\_\_



## Employee Acknowledgement of the Drug and Alcohol Abuse Policy

I acknowledge that by applying for a job position with the City of Montgomery, I am required to adhere to the Drug and Alcohol Abuse Policy as a condition of employment. I am aware the policy is available to me on the City Employee Resources webpage of the City website [www.montgomeryal.gov](http://www.montgomeryal.gov) or I may request a printed copy from the department for which I am applying.

If I am hired, I agree to comply with this policy and will be subject to disciplinary action up to and including termination on the first offense.

**Department:** \_\_\_\_\_

\_\_\_\_\_  
Employee's Name (Please Print)

\_\_\_\_\_  
Authorized Department Personnel (Please Print)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date Signed

\_\_\_\_\_  
Date Signed

**(To be a permanent part of Employee's Personnel File)**



City of Montgomery  
CAPITAL OF DREAMS.

# DRUG TESTING EMPLOYEE CONFIDENTIALITY STATEMENT

|                                  |                      |
|----------------------------------|----------------------|
| Employee ID: _____               | Employee Name: _____ |
| Job Title: _____                 | Department: _____    |
| Department Head Signature: _____ |                      |

I understand that I am being granted access to drug testing information based on my agreement to comply with the following terms:

- I will comply with state and federal laws concerning the privacy and confidentiality of the information I will have access to.
- My right to access information is strictly limited to the specific information that is relevant and necessary for me to perform my job-related duties.
- I will maintain the privacy and confidentiality of the information and data that I obtain, including its storage and disposal.
- I will maintain strict control of passwords and will not disclose them to others.

I understand if I intentionally misuse personal information, or data that I obtain through my employment, I will be subject to disciplinary action.

I understand upon separation from employment with the City of Montgomery, I have an ongoing responsibility for maintaining the confidentiality of drug testing information.

My signature certifies I have read this form, I understand it, and I have agreed to comply with its terms.

Employee Signature: \_\_\_\_\_ Date Signed: \_\_\_\_\_

**SUBMIT COMPLETED FORM TO THE RISK MANAGEMENT DEPARTMENT**





# Reasonable Suspicion Drug Test Request

|                          |                    |
|--------------------------|--------------------|
| Name: _____              | Employee ID: _____ |
| Position: _____          | Department: _____  |
| Date (mm/dd/yyyy): _____ | Time of Day: _____ |

The purpose of this form is to help you decide if you have reasonable grounds to suspect that an employee is using drugs or alcohol in violation of City policy. This form must be filled out and signed as soon as possible after observing the behavior.

Selections for testing must be based on specific contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the person you suspect (including indications of the chronic or withdrawal effects of drugs). Keep this guideline in mind as you determine whether or not reasonable suspicion exists.

While you do not have to check every box for someone to be subject to testing, you should be cautious if the circumstances do not present multiple indications of prohibited drug/alcohol use. You should also be careful to maintain appropriate confidentiality, (i.e. conduct your investigation in private and do not discuss your suspicions with individual co-workers).

|  |  |   |
|--|--|---|
| <input type="checkbox"/> Acts hyperactive                                | <input type="checkbox"/> Eyes glassy or watery                     | <input type="checkbox"/> Sudden, marked mood swings                     |
| <input type="checkbox"/> Acts sleepy/asleep                              | <input type="checkbox"/> Face flushed                              | <input type="checkbox"/> Sways, sags, or leans on support when standing |
| <input type="checkbox"/> Breath/clothes smell like alcohol               | <input type="checkbox"/> Face pale                                 | <input type="checkbox"/> Unusual sweating                               |
| <input type="checkbox"/> Breath/hair/hands/clothes smell like marijuana  | <input type="checkbox"/> Movements jerky or uncoordinated          | <input type="checkbox"/> Unusually anxious                              |
| <input type="checkbox"/> Can't seem to understand normal conversation    | <input type="checkbox"/> Moves very slowly                         | <input type="checkbox"/> Unusually quarrelsome, irritable, or hostile   |
| <input type="checkbox"/> Doesn't seem to care about anything             | <input type="checkbox"/> Pupils dilated                            | <input type="checkbox"/> Voice unusually loud or soft                   |
| <input type="checkbox"/> Erratic or violent actions                      | <input type="checkbox"/> Speech slurred                            | <input type="checkbox"/> Won't stop talking                             |
| <input type="checkbox"/> Eyes bloodshot                                  | <input type="checkbox"/> Speech incoherent or rambling             | <input type="checkbox"/> Won't talk                                     |
| <input type="checkbox"/> Eyelids droopy or puffy                         | <input type="checkbox"/> Stumbles, staggers, or falls when walking |   |
| <input type="checkbox"/> Eyes don't track side-to-side movement smoothly | <input type="checkbox"/> Sudden, marked changes in activity level  |   |

**Describe any suspicious accidents/errors/mistakes:**

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Describe all other facts, circumstances, etc. that caused you to suspect prohibited drug/alcohol use:

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List all other witnesses to the person's actions, appearance, conduct, etc.:

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List the employee's responses to your observations:

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\_\_\_\_\_  
Supervisor (Print Name)

\_\_\_\_\_  
Department Head (Print Name)

\_\_\_\_\_  
Supervisor Signature

\_\_\_\_\_  
Department Head Signature

**SUBMIT COMPLETED FORM TO THE RISK MANAGEMENT DEPARTMENT**