



# EMPLOYEE MANUAL

Grand Traverse Metro Emergency Services Authority

Effective Date: 1/1/2008 Revision Date: 1/19/2021

Section: **40.4** Review Date: 1/24/2018  
1/19/2021

Subject: **DRUG AND ALCOHOL-FREE WORKPLACE**

By Order of Fire Chief Patrick J. Parker

## Section 1: GENERAL PROVISIONS

The Grand Traverse Metro Emergency Services Authority (GTMESSA) is committed to providing a drug and alcohol-free secure workplace. The use, abuse, and/or possession of illegal drugs, alcohol and, in certain situations, legally prescribed drugs are a threat to the health and safety of employees and members of the public. GTMESSA will strictly enforce the following rules:

- A. No employee shall possess, manufacture, distribute, or be impaired by or under the influence of illegal drugs, alcohol, or legal prohibited drugs while on GTMESSA property, while on duty, or while operating GTMESSA vehicles or equipment.
- B. All GTMESSA employees are required to notify the Fire Chief, or their designee, of any criminal drug statute conviction for a violation occurring either on GTMESSA property or elsewhere no later than five (5) days after such conviction.
- C. All GTMESSA employees are required to self-report prescribed medications or ingested drugs that may negatively impact employment as outlined in this policy to their Supervisor within 24 hours of occurrence.

Any employee who violates this policy will be subject to disciplinary action, up to and including immediate termination. Employee Assistance Program (EAP) may be included in the disciplinary action.

## Section 2: CIRCUMSTANCES COMPELLING DRUG/ALCOHOL TESTING POLICY

As a condition of employment or continued employment, GTMESSA shall require applicants and/or employees to submit to a drug/alcohol test in the following circumstances:

- A. Pre-Employment Drug Testing: GTMESSA may condition any offer of employment on a candidate successfully passing a drug test.
- B. Job Related Accident or Injury: Any employee involved in either a job-related accident involving property damage and/or a job-related injury requiring outside care shall be subject to drug/alcohol testing.
- C. Return to Work: An employee who is off work for an extended period of one hundred eighty (180) days or more due to disability, layoff, job-related injury, personal leave, or other type of leave shall submit to a drug/alcohol test as a condition of returning to work from the leave of absence.
- D. Reasonable Suspicion: Any employee who suspects another employee of being under the influence of alcohol or drugs in the workplace shall advise the Fire Chief, or his Supervisor, who, upon determination of reasonable suspicion, shall require the employee to take a drug/alcohol test.

- E. Random Testing: All employees of GTMESA perform safety-sensitive job functions. As such, all GTMESA employees up to and including the Fire Chief, shall be subject to random drug/alcohol testing.

Any employee who violates this policy will be subject to disciplinary action, up to and including immediate termination. EAP may be included in the disciplinary action.

### **Section 3: MANNER OF TESTING**

- A. Any employee who refuses a GTMESA request to submit to any drug/alcohol test, or tampers with a test sample, will be subject to discipline up to and including immediate termination.
- B. All positive alcohol tests shall be confirmed by performing a second test on the original specimen sample.
- C. All testing shall be done in a manner that preserves the integrity of the test and shall be administered by trained medical personnel at a local hospital or clinic.
- D. Upon completion of all tests, the employee shall be notified of the results of the testing as soon as practical.

### **Section 4: DRUG/ALCOHOL TESTING BASED ON REASONABLE SUSPICION**

- A. Any supervisor who suspects an employee of being under the influence of drugs and/or alcohol in the workplace shall immediately take steps to observe and potentially question the employee relative to their physical or mental state.
- B. Where reasonable suspicion is based on an employee's observable behaviors and/or appearance, a supervisor must be able to articulate such objective facts and observations. The supervisor should have another person notice those behaviors and corroborate supervisor's observations as a supporting witness. Refer to Reasonable Suspicion Checklist for further information regarding objective facts.
- C. A Chief Officer and/or Human Resources Manager, shall determine whether reasonable suspicion exists.
- D. The facts forming the basis for the reasonable suspicion shall be disclosed to the employee at the time that demand for testing is made.
- E. Within fourteen (14) calendar days after the demand for testing, the facts forming the basis for reasonable suspicion and reasonable inferences drawn from those facts, including the employee's statement, if any, shall be reduced to written form and a copy shall be given to the employee if the employee so requests in writing.
- F. When an informant has supplied information to a supervisor, the informant's veracity, reliability, and basis of knowledge will be relevant considerations. If the informant is a subordinate of a supervisor suspected to be under the influence, they may approach any other supervisor, a Chief Officer and/or Human Resources Manager, to provide such information without regard to the normal supervisory structure.
- G. Any time an employee has been ordered to be tested while on duty, based upon reasonable suspicion, the employee shall not drive any vehicle or perform any job duties or functions. The employee will be compensated according to their salary/wage schedule for all the time spent in the testing process to a maximum of the balance of their regular workday. When possible, such testing will be conducted during the employee's scheduled work hours.

Any employee who violates this policy will be subject to disciplinary action, up to and including immediate termination. EAP may be included in the disciplinary action.

## Section 5: RANDOM TESTING

- A. All GTMESA employees have safety-sensitive job functions and are subject to random drug/alcohol testing.
- B. Each employee will have an equal chance of being selected and tested in each random selection period.
- C. Random selections and testing will occur at non-predictable time periods throughout the year.
- D. The percentage of employees selected for each random testing will be based on the total number of safety-sensitive employees and the minimum drug and alcohol testing rates established by the U.S. Department of Transportation.
- E. Random drug tests should be performed any time employees are on duty or before or after their shift. The employee will be compensated according to their salary/wage schedule for all time spent in the testing process to a maximum of the balance of their workday.
- F. Each employee selected for a random drug/alcohol test shall be discretely notified of selection, and random testing shall be conducted in confidence with a limited number of people having knowledge of the selection list.
- G. No employee should be excused from testing because of operational difficulties and appointments may be altered to accommodate staffing needs.
- H. When an employee is notified of selection for random testing, they will be instructed to proceed to the collection site as directed. Following notification, all actions by selected employees must be directed to immediate specimen collection.
- I. Failure to appear for a test when notified will constitute a refusal to test and subject the employee to discipline up to and including immediate termination.

## Section 6: LEGAL PROHIBITED DRUGS

The use of medications prescribed by a physician is not intended to be prohibited by this policy. However, employees using such medications are responsible for the potential effects that such drugs may have on their ability to perform the functions of their job. Use of medications that may impair an employee's physical or mental ability, judgment, or work performance must be reported to the employee's supervisor when reporting for work. The supervisor may require a written opinion from the employee's physician that such medication will not inappropriately impair the employee's judgment or ability to perform his/her duties or pose a danger to the employee or others. Employees who possess a medical marijuana registry card may not possess, use, or be under the influence of marijuana while performing job duties for GTMESA and must otherwise comply with this policy in all respects.

**SOG 40.4** Authorized by: *Patrick J. Parker*

Chief Patrick J. Parker