

**City of Fond du Lac  
Drug & Alcohol Policy**

## **DRUG AND ALCOHOL TESTING POLICY**

### **I. STATEMENT OF POLICY**

The City of Fond du Lac recognizes that the use and/or abuse of alcohol or controlled substances by drivers of commercial motor vehicles presents a serious threat to the safety and health of the driver and the general public. It is the policy of the City of Fond du Lac that its drivers should be free of drugs and alcohol. In order to further the City's goal of obtaining a drug-free and alcohol-free transportation system, and to come into compliance with the Omnibus Transportation Employee Testing Act of 1991, the City of Fond du Lac has implemented a drug and alcohol testing program which is designed to help reduce and avoid traffic accidents and injuries to the City's employees and the public, to discourage substance and alcohol abuse, and to reduce absenteeism, accidents, health care costs, and other drug and alcohol-related problems.

The workplace should be free from the hazards posed by the use of alcohol and controlled substances in order to protect the safety of employees and the public.

### **II. PURPOSE**

The Department of Transportation (DOT) and the Federal Highway Administration (FHWA) have issued a rule (49 CFR Parts 40 and 382) implementing the provisions of the Federal Omnibus Transportation Employee Testing Act of 1991 which requires alcohol and controlled substance testing of drivers who are required to have a commercial driver's license. These Regulations include detailed procedures for urine drug testing and breath alcohol testing of employees in safety-sensitive positions. The purpose of this Policy, then, is to establish an alcohol and controlled substances testing program to help prevent accidents and injuries resulting from the misuse of these substances by drivers of commercial motor vehicles. Consequently, the City of Fond du Lac has established the following alcohol misuse prevention program and anti-drug

program as well as the subsequent enforcement of violations for its employees conducting safety-sensitive job functions. Employees should also refer to the City's "Drug Free Workplace Policy" which addresses the strict enforcement of workplace controlled substance and alcohol usage.

### **III. COVERAGE**

For purposes of this Policy, the City of Fond du Lac and the DOT strictly prohibit the use of alcohol and/or controlled substances by its employees and volunteers who are performing, ready to perform, or ceasing to perform the following safety-sensitive job functions:

1. Operation of a commercial motor vehicle;
2. Directly supervising employees who perform safety-sensitive job functions, and the supervisors are required to have a CDL.

### **IV. PROHIBITED CONDUCT**

Federal Regulations prohibit employees from engaging in the following conduct:

1. Using or possessing alcohol while on duty. NOTE: Federal Regulations include medications containing alcohol in the substances banned from use or possession in the workplace. Therefore, employees will not be assigned to safety-sensitive job functions while using or possessing prescription or non-prescription medication if such medication contains any measurable amount of alcohol. It is the responsibility of the employee to notify his/her supervisor of such medication;
2. Using alcohol within eight (8) hours following an accident, if the employee was required to be tested, unless an earlier test results in a reading of less than 0.02;
3. Reporting for duty or remaining on duty while having an alcohol concentration of 0.04 or greater;
4. Consuming any amount of alcohol within four (4) hours before reporting for duty;

5. Using controlled substances while on duty; unless the use is pursuant to the instructions of a physician who has advised the driver that the substance does not adversely affect the driver's ability to safely operate a commercial motor vehicle;
6. Reporting for duty or remaining on duty if the employee tests positive for controlled substances; or
7. Refusing to submit to any alcohol or drug testing required by this Policy.

In addition, City of Fond du Lac Policies prohibit employees from engaging in the following conduct:

1. Dispensing, distributing or receiving alcohol and controlled substances while on duty;
2. Possession of controlled substances while on duty; unless the use is pursuant to the instructions of a physician who has advised the driver that the substance does not adversely affect the driver's ability to safely operate a commercial motor vehicle;
3. Reporting for duty or remaining on duty while having an alcohol concentration of 0.02 but less than 0.04;
4. Reporting for duty or remaining on duty while under the influence of alcohol or a controlled substance;
5. Deliberately misusing this policy in regard to subordinates; and
6. Providing false information in connection with a test, or falsifying test results through tampering, contamination, adulteration, or substitution.

## **V. REQUIRED TESTS**

Refusal to take a required test will result in removal of that employee from his/her assignment(s) which, in turn, may result in discipline up to and including discharge.

Testing must be conducted in the following situations:

- 1. Pre-employment Testing** - Any individual not currently employed by the City of Fond du Lac who is applying for a safety-sensitive position shall be

required to undergo drug and alcohol testing after a conditional offer of employment has been made.

Prior to the first time an employee performs safety-sensitive functions for the City of Fond du Lac (i.e. new position, job transfer, promotion, new duties, etc.); the employee shall be required to undergo testing for alcohol and controlled substances. A positive test will result in a disqualification for further consideration for employment in that safety sensitive position.

Any applicant or existing employee who refuses to undergo such alcohol or drug testing will be disqualified from further consideration for employment in that safety-sensitive position until the employee or prospective employee presents evidence of successful completion of a Substance Abuse Treatment Program.

**2. Reasonable Suspicion Testing** - Reasonable suspicion means suspicion based on a specific, contemporaneous, articulable observation by a trained supervisor or other City of Fond du Lac representative concerning the appearance, behavior, speech or body odors of an employee, including indications of the chronic and withdrawal effects of controlled substances. Reasonable suspicion drug or alcohol testing will only occur under these rules if the supervisor's observations are made during, just before, or just after the time the employee is performing work in a safety-sensitive position.

(a) In a situation where an employee is either acting in an impaired manner or the supervisor has reasonable suspicion to believe the employee is using or is under the influence of alcohol or drugs, the supervisor may order the employee to undergo a drug or alcohol test. The supervisor may, but need not, seek a corroborating opinion from another supervisor prior to immediately removing the employee from the job and sending the employee for drug or alcohol testing.

(b) Once the employee has been removed from the job, the supervisor is to contact the Personnel Department. If contact cannot be made at that time, the

supervisor is to proceed through the next step of this procedure and make contact with the Personnel Department as soon thereafter as possible.

(c) The supervisor is to then take the employee to the collection site for drug and/or alcohol testing immediately, but no later than eight (8) hours for an alcohol test or twenty-four (24) hours for a drug test, of having determined that there is reasonable suspicion to believe that the employee is using or is under the influence of alcohol or drugs. If the alcohol test is conducted more than two (2) hours, but less than eight (8) hours, after the supervisor makes such reasonable suspicion determination, the supervisor will complete a report explaining the reason for the delay in conducting the drug or alcohol test. The supervisor is to wait at the clinic with the employee until the breath test has been completed or the urine sample has been taken. If the alcohol test is not conducted within eight (8) hours after the supervisor makes such reasonable suspicion determination, or if the drug test is not conducted within twenty-four (24) hours after such determination, the supervisor will complete a report explaining the reasons why the test was not conducted.

(d) Once the drug testing has been completed and a positive confirmation test result has been received (0.04 percent or above), *the employee will not be permitted to drive his/her own vehicle home at that time.* The employee must make alternative transportation arrangements in order to leave the collection site.

(e) If a blood alcohol or urine test has been administered, the City of Fond du Lac will contact the employee once the test results are known and a decision has been made as to the employee's status.

(f) The results of the drug testing will be sent directly to the Medical Review Officer (MRO) for review and the results of the alcohol testing will be sent directly to the Human Resources Director. When the results are obtained, the employee's supervisor and department head will meet with the Human Resources Director to determine the appropriate course of action to be taken. This is a

*confidential* process. Test results will be held strictly confidential and are not to be discussed or shared with anyone who does not need to know.

(g) Once the test has been completed and the employee has been sent home, the supervisor must submit a written report to the Human Resources Director outlining, in detail, the event and the behavior observed that led the supervisor to believe the employee was under the influence of alcohol and/or drugs. This report must be done within 24 hours of the testing.

**3. Random Testing** - Random alcohol and drug testing will be conducted just before, during, or just after an employee's performance of safety-sensitive duties. The employee will be randomly selected for testing from a "pool" of employees subject to testing. The testing dates and times are unannounced and will occur with unpredictable frequency throughout the year.

The minimum annual percentage rate for random alcohol testing shall be 25 percent and the minimum annual percentage rate for random drug testing shall be 50 percent of the average number of employees in safety-sensitive positions. The City of Fond du Lac reserves the right to either increase or decrease the minimum annual percentage rate for random alcohol and drug testing based upon the reported violation rate for the entire industry as determined by the Federal Highway Administration and the Federal Regulations implementing drug and alcohol testing in the transportation industry.

The selection of employees for random testing shall be made by Substance Abuse Management Inc. (SAMI) using a scientifically valid method. This method will be a Random number table of a computer-based random number generator that is matched with employee's social security numbers or payroll identification numbers. Names will not be held over for testing if an employee is on vacation when his/her name is selected for random testing. Under this selection process, each employee will have an equal chance of being tested each time selections are made. As a result, some employees may be tested more than once each year, while other employees may not be tested at all.

**4. Post-Accident Testing** - As soon as practicable following an accident involving a commercial motor vehicle, the City of Fond du Lac shall test an employee driver for alcohol and controlled substances in the following situations:

- a. the accident involved the loss of human life; or
- b. the employee receives a citation under State or local law for a moving traffic violation arising from an accident.
- c. In accidents involving Transit vehicles, the following situations require testing:
  - i. An individual dies;
  - ii. An individual suffers a bodily injury and immediately receives medical treatment away from the scene of the accident;
  - iii. With respect to an occurrence in which the Mass Transit vehicle involved is a bus, electric bus, van, or automobile, one or more vehicles incurs disabling damage as the result of the occurrence and is transported away from the scene by a tow truck or other vehicle. For purposes of this definition, "disabling damage" means damage which precludes departure of any vehicle from the space of the occurrence in its usual manner in daylight after simple repairs. Disabling damage includes damage to vehicles that could have been operated but would have been further damaged if so operated, but does not include damage which can be remedied temporarily at the scene of the occurrence without special tools or parts, tire disablement without other damage even if no spare tire is available, or damage to headlights, taillights, turn signals, horn, or windshield wipers that makes them inoperative.

The alcohol breath test must be administered as soon as possible, but no later than eight (8) hours following the accident, and the drug test must be administered within thirty-two (32) hours of the accident. If the alcohol test is not administered within two (2) hours of the accident, the supervisor will complete a report explaining the reasons for the delay in conducting the test. If the alcohol test is not administered within eight (8) hours of the accident or if the drug test is



not administered within thirty-two (32) hours of the accident, the supervisor will complete a report explaining why the test was not conducted.

An employee who is subject to post-accident testing shall remain readily available for such testing or may be deemed by the City of Fond du Lac to have refused to submit to testing. A covered employee who leaves the scene of the accident may continue to be considered as "readily available" for testing if (1) the employee notifies his/her supervisor or, if unavailable, another supervisor of his/her location; (2) the employee left the scene to obtain necessary medical care (for himself/herself, or others); or (3) the employee left the scene to obtain assistance in responding to the accident.

**5. Return-to-Duty/Follow-Up Testing** - The City of Fond du Lac will ensure that before an employee returns to duty requiring the performance of a safety-sensitive job function after engaging in conduct prohibited by Federal Regulations in Part IV above, the driver shall undergo a return-to-duty alcohol and/or controlled substance test with a result indicating an alcohol concentration of less than 0.02 and a verified negative result for controlled substance use. In any event, an employee will not be allowed to return to duty without first having been evaluated by the City of Fond du Lac EAP provider in order to determine the employee's fitness-for-duty. Such follow-up activity may be required if an employee has engaged in conduct prohibited by the City Policy in Part IV above.

Following a determination that an employee is in need of assistance in resolving problems associated with alcohol misuse and/or use of controlled substances, the City of Fond du Lac will ensure that the employee is subject to unannounced follow-up alcohol and/or controlled substances testing in consultation with a substance abuse professional. Consequently, the employee will be given at least six (6) random tests during the 12-month period after returning to duty with the possibility of follow-up testing for up to 60 months after the employee returns to duty.

## **VI. TESTING PROCEDURES**

The City of Fond du Lac has entered into an alcohol and drug testing agreement with Substance Abuse Management Inc. Testing may be done on both urine and breath (blood alcohol may be required). All drug and alcohol testing will be conducted in conformance with the procedures and rules established by the Federal Omnibus Transportation Employee Testing Act of 1991 and its implementing regulations. Consultants Laboratory Inc. will handle taking the sample (in standard collection kits) during its hours of operation, and Consultants Laboratory Inc. will handle taking the sample all other non-regular business hours and days. Both health providers will be responsible for seeing that the samples are sent to a certified laboratory and assisting in the interpretation of the results. Specimen collection is not to be done anywhere but at Consultants Laboratory Inc. unless specifically authorized by the Human Resources Director.

### **A. ALCOHOL TESTING**

Employees will be required to submit to breath testing using an approved Evidential Breath Testing (EBT) device. A certified Breath Alcohol Technician (BAT) will administer an initial screening test. If the employee tests positive for alcohol, then the BAT will conduct a confirmation test. The City of Fond du Lac will take action based only upon the positive results of the confirmation test, 0.04 or greater. All procedures and steps used in conducting both the initial and confirmation tests will be performed in conformance with the Federal law and Federal Regulations.

#### **1. Preparation for Breath Alcohol Testing**

The following procedures summarize the procedures established by the Federal Highway Administration regulations implementing drug and alcohol testing under the Federal law. These procedures are not binding and are subject to change in the event the Federal Highway Administration or other government

agency changes the regulations on drug and alcohol testing of employees in safety-sensitive positions.

- a. When the employee enters the collection site, the BAT will require him/her to provide positive identification (i.e. photo I.D. or Employer identification).
- b. The BAT will explain the test procedure.
- c. Employees will be required to complete and sign various forms used to document the testing process. Refusal to sign the test forms will be regarded as a refusal to take the test.
- d. Employees will be instructed to blow forcefully into the mouthpiece for at least 6 seconds or until the EBT indicates that an adequate amount of breath has been obtained.
- e. If an employee tests positive during the screening test, the employee shall not eat, drink, put any object or substance in his or her mouth, and (to the extent possible) not belch during the 20-minute waiting period before the confirmation test is conducted.
- f. Refusal by an employee to complete and sign the test form, to provide breath, to provide an adequate amount of breath, or other failure to cooperate with the testing process in a way that prevents the completion of the test will subject the employee to discipline, up to and including termination.

In the event of conflicting results between the initial test and the confirmation test, the confirmation test results will determine the outcome of the test.

## **2. Blood Alcohol Testing**

Blood alcohol testing is authorized only in the following circumstances:

- a. When this Policy or Federal Rules require a post-accident or reasonable suspicion test, and an EBT is not readily available for either a screening or confirmation test, or if there is an EBT available only for a screening test.
- b. When an employee attempts and fails to provide an adequate amount of breath, blood alcohol testing may be used for both screening and confirmation test purposes.

- c. The employee will subsequently be given at least six (6) unannounced tests during the next year with the possibility of follow-up testing for up to 60 months.

Upon the conclusive finding of a positive (0.04 or greater) blood alcohol test result, the employee has 72 hours in which to request a test of the split specimen. (For explanation of "split specimen", refer to the TESTING FOR CONTROLLED SUBSTANCES section below.) An employee, who fails to notify the Medical Review Officer (MRO) within 72 hours of receiving the results of the positive test of the employee's desire to have the split specimen tested, shall be deemed to have waived the employee's right to seek testing of the split specimen.

Pending receipt of the result of the analysis of the split specimen, the employee shall not perform safety-sensitive functions, unless the employee has met conditions set forth in this Policy for a return to safety-sensitive functions following a test result of 0.04 or greater.

All blood alcohol testing will be conducted in conformance with the procedures established by the Federal Regulations.

### **3. Results of Positive Test**

If a confirmation alcohol test measures 0.04 or greater, the City of Fond du Lac is required to:

- a. Remove the employee from the safety-sensitive position;
- b. Before returning the employee to employment, take the following steps:
  - i. Refer the employee to the City of Fond du Lac's EAP for assessment and a determination of whether participation in a treatment program is necessary;
  - ii. Obtain a verification from a substance abuse professional that the employee has complied with any required rehabilitation or treatment program; and

- iii. Re-test to verify the employee's alcohol concentration is below 0.02;
- c. The employee will subsequently be given at least (6) random tests during the next year with the possibility of follow-up testing for up to 60 months.

If the confirmation test level is between 0.02 and 0.039, the employee will be removed from the safety-sensitive position.

In the event that an employee is required to comply with breath testing as a result of a law enforcement investigation, the employee must submit to the examination. The test will be considered enforceable for purposes of this Policy if the testing officer is a qualified BAT and the EBT that was used for the test has been certified by the State of Wisconsin or a local law enforcement agency.

#### **B. TESTING FOR CONTROLLED SUBSTANCES**

The City of Fond du Lac has established its anti-drug program through its Drug Free Workplace Policy which strictly prohibits the unlawful manufacture, distribution, dispensing, possession or unauthorized use of a controlled substance in the workplace. Furthermore, any abnormal conduct that may create a reasonable suspicion that an employee is under the influence of a controlled substance is addressed in the "Reasonable Suspicion Testing" section described previously in this Policy.

For purposes of this Policy and the Federal Regulations, the City of Fond du Lac will utilize a 5-panel drug screen consisting of the following drugs:

1. Tetrahydrocannabinol (Marijuana drug)
2. Cocaine
3. Amphetamines
4. Opiates (including heroin)
5. Phencyclidine (PCP)

In instances where there is reason to believe an employee is abusing a substance other than the five drugs listed above, the City reserves the right to test for additional drugs under the City's own authority using standard laboratory testing protocols.

Drug testing is conducted by analyzing an employee's urine specimen (through a certified testing lab). This procedure will include use of a split specimen testing procedure. Each urine specimen is subdivided into two bottles labeled as a "primary" and a "split" specimen. Both bottles will be sent to a certified lab. Only the "primary" specimen is opened and used for the urinalysis. The split specimen bottle will remain sealed and stored at the lab. If the analysis of the primary specimen confirms the presence of illegal, controlled substances, the employee has 72 hours to request the split specimen be re-tested at the same lab or be sent to another certified laboratory for analysis at the employee's expense. An employee who fails to notify the Medical Review Officer (MRO) within 72 hours of receiving the results of the positive test of the employee's desire to have the split specimen tested shall be deemed to have waived the employee's right to seek testing of the split specimen.

In some cases the employee may be unable to provide a urine specimen. After a reasonable waiting period, the collection site person may terminate the testing procedure. The City of Fond du Lac will proceed with laboratory testing based upon blood specimen alone.

### **1. Preparation For Drug Testing**

The following procedures summarize the procedures established by the Federal Highway Administration regulations implementing drug testing under the Federal law. These procedures are subject to change in the event the Federal Highway Administration or other government agency changes the regulations on drug and alcohol testing of employees in safety-sensitive positions.

- a. When the employee enters the collection site, the employee will be required to provide positive identification (i.e., photo I.D. or employer identification).

- b. The employee will be instructed to provide at least 45 ml of urine under the split sample method of collection. This will be done in a specifically designated "donor" bathroom.
- c. The urine sample shall be divided into a primary specimen (30 ml) and a split specimen (15 ml).
- d. If the test result of the primary specimen is positive, the employee may request, within 72 hours of receiving the positive test result, that the Medical Review Officer (MRO) direct that the split specimen be tested in the same or a different DHHS-certified laboratory for presence of the drug(s) for which a positive result was obtained in the test of the primary specimen.
- e. An employee will be removed from the safety-sensitive position pending the result of the test of the split specimen.
- f. If the result of the test of the split specimen fails to confirm the presence of the drug(s) or drug metabolite(s) found in the primary specimen, the Medical Review Officer (MRO) shall cancel the test.
- g. Employees will be required to complete and sign various forms used to document the testing and chain of custody process. Refusal to sign the test form(s) will be regarded as a refusal to take the test.
- h. Refusal by an employee to complete and sign the test and chain of custody forms, to provide urine, to provide an adequate amount of urine (to be decided on a case-by-case basis), or other failure to cooperate with the testing process in a way that prevents the completion of the test will be considered grounds for disciplinary action, up to and including termination.

In the event of conflicting results between the initial test and the confirmation test, the confirmation test results will determine the outcome of the test.

## **2. Results of Positive Test**

As with an alcohol misuse violation, the City of Fond du Lac is required to act upon a positive drug test result in the following manner:

- a. Remove the employee from the safety-sensitive position. This removal will only take place after the employee has been allowed to meet or speak with a Medical Review Officer (MRO) to determine that the positive drug test did not result from the authorized use of a controlled substance;
- b. Refer the employee to the City of Fond du Lac's EAP for assessment and subsequent compliance with recommended rehabilitation after a determination of a drug problem has been made;
- c. Employee must be evaluated by a substance abuse professional or Medical Review Officer (MRO) and determined to be fit to return to work prior to their release of the employee; and
- d. Employee must have a negative result on a return-to-duty drug test. Follow-up testing to monitor the employee's continued abstinence from drug use will be required if the employee is determined as needing rehabilitation.

## **VII. PRESCRIPTION AND NON-PRESCRIPTION DRUGS**

Before performing work-related duties, employees must notify their supervisor if they are taking any legally prescribed medication, therapeutic drug, or any non-prescription drug which contains any measurable amount of alcohol or which carries a warning label that indicates the employee's mental functioning, motor skills, or judgment may be adversely affected by the use of this medication. A written report of this notification is to be filed by the supervisor with the Personnel Department. It is the responsibility of the employee to inform his/her physician of the type of safety-sensitive function that the employee performs in order that the physician may determine if the prescribed substance could interfere with the safe and effective performance of the employee's duties or operation of City equipment. However, as required by the Federal Regulations, any employee who uses or possesses medication containing alcohol while on duty or who tests positive for alcohol will be removed from his/her position, and subject to the provisions of this Policy, even though the reason for the positive alcohol test is the fact that the employee's prescription medication contains alcohol.



A legally prescribed drug is one where the employee has a prescription or other written approval from a physician for the use of the drug in the course of medical treatment. The prescription must include the patient's name, the name of the substance, quantity/amount to be taken, and the period of authorization. The misuse or abuse of legal drugs while performing City business is prohibited by City Policy.

### **VIII. CONFIDENTIALITY OF RECORDS**

The City of Fond du Lac respects the confidentiality and privacy rights of all of its employees. Accordingly, the results of any test administered under this Policy and the identity of any employee participating in the City of Fond du Lac's EAP or other assessment or treatment program will not be revealed by the City of Fond du Lac to anyone except as required by law. The City of Fond du Lac will release an employee's records as directed by the express written consent of the employee authorizing release to an identified person. In addition, the City of Fond du Lac will ensure that any lab or agency used to conduct testing under this Policy will maintain the confidentiality of employee test records. However, the lab or testing agency will disclose information related to a positive drug or alcohol test of an individual to the Human Resources Director. The Human Resources Director may disclose this information to the employee or to the decision maker in a lawsuit, grievance, or other proceeding by or on behalf of the individual which arises from any action taken in response to a positive drug or alcohol test; or as required by law, including court orders or subpoenas.

The Medical Review Officer (MRO) will not reveal individual test results to anyone except the Human Resources Director, unless the MRO has been presented with a written authorization from the tested employee. The MRO may reveal to the Human Resources Director relevant information as to whether the employee is qualified to perform safety-sensitive functions or whether the employee has tested positive for alcohol or a controlled substance. The Human

Resources Director may disclose this information to the employee or to the decision maker in a lawsuit, grievance or other proceeding on behalf of the individual which arises from any action taken in response to a positive drug or alcohol test; or as required by law, including court orders or subpoenas; or upon the tested employee's written authorization and consent.

All records related to drug and alcohol tests of individual employees will be maintained in individual files separate from the employee's personnel file. These records will be stored in a locked cabinet and access will only be allowed to those employees who have a legitimate need to review the records of a particular employee.

## **IX. COSTS**

The employer shall pay all costs associated with the administration of alcohol and controlled substance testing except those costs for a "split specimen" test requested by an employee. The employee shall pay for the split specimen test. If the result of said test is negative, the City shall reimburse the employee for said test.

## **X. PAY STATUS**

All time spent undergoing required alcohol or controlled substance testing, including travel time, shall be paid in accordance with applicable provisions of a Collective Bargaining Agreement or pay policy of the City.

## **XI. DISCIPLINE**

Consistent with this policy, the employer may take disciplinary action based on non-compliance with this policy by an employee and specifically for actions as follows:

- A. If a Medical Review Officer (MRO) reports that a urine drug test is positive, the employee shall be subject to discharge. Discharge shall be

held in abeyance if the employee enters into a last chance agreement and successfully completes a Substance Abuse Treatment Program.

- B. If a BAT reports that a breath test is equal to or exceeds 0.04, that employee shall be subject to discharge. Discharge shall be held in abeyance if the employee enters into a last chance agreement and successfully completes a Substance Abuse Treatment Program.
- C. If a BAT reports a breath test is recorded between 0.02 and 0.04, the employee shall be subject to discipline pursuant to "just cause". At a minimum, the employee will be placed on leave without pay for a minimum of 24 hours following administration of the test.
- D. Any employee who refuses to submit to a urine drug and/or breath alcohol test shall be subject to discharge.

**Questions:** Any employee having questions with respect to the scope of this policy and its contents may contact the Human Resources Director at 322-3423.

## **GLOSSARY OF TERMS**

<b>BAT</b>	Breath Alcohol Technician
<b>CDL</b>	Commercial Drivers License
<b>DHHS</b>	Department of Health & Human Services
<b>DOT</b>	Department of Transportation
<b>EAP</b>	Employee Assistance Program
<b>EBT</b>	Evidential Breath Testing
<b>FHWA</b>	Federal Highway Administration
<b>MRO</b>	Medical Review Officer
<b>SAMI</b>	Substance Abuse Management Incorporated

**EMPLOYEE ACKNOWLEDGMENT FORM**

Detach and return this page to the Personnel Department after you have read and understood this Policy.

I acknowledge that I have received, read and understand the City of Fond du Lac's Drug and Alcohol Testing Policy on the date indicated below and understand the provisions of this Policy. I understand that the terms described in this Policy may be altered, amended or changed by the City of Fond du Lac to comply with the Federal Omnibus Transportation Employee Testing Act of 1991 and its implementing regulations, upon prior notice. I further understand that any violation of the City of Fond du Lac's Drug and Alcohol Testing Policy may subject me to discipline, up to and including termination.

**SIGNED** \_\_\_\_\_

**DATE** \_\_\_\_\_