



LARAMIE COUNTY GOVERNMENT

TITLE Substance Abuse	APPROVAL DATE 8/15/1995
SECTION Safety	REVISION DATE 12/20/2016

Policy Statement

Because Laramie County Government believes a drug free workplace is important for the safety of employees, the public, and production, it is hereby resolved that Laramie County Government is a drug free workplace. (Drug Free Workplace Act 1988) Therefore, the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance or alcoholic beverages is prohibited while performing any job functions for Laramie County. All employees, including all workers compensation covered employees, are subject to this policy. Violation of this policy shall result in disciplinary action which may include termination.

Required Types of Substance Abuse Testing

The Substance Abuse Testing Program includes Pre-employment, random (DOT/safety sensitive), for cause or suspected impairment, and post -accident testing.

A. Pre-employment testing. All prospective employees are required to submit to, and pass, a Pre-Employment drug test. All position vacancy announcements shall include a statement that informs prospective applicants that Laramie County applies a drug testing program.

B. Suspected Impairment. In cases where a supervisor has reasonable suspicion to believe an employee is under the influence of controlled substances, the supervisor may require the employee to immediately go to the County designated collection site to provide both urine and blood specimens for laboratory testing. The employee shall be driven to the collection/testing site by the supervisor, Human Resources, or transportation arranged for the employee by the supervisor. In any case where the employee is taken to the collection site, Human Resources shall be notified, preferably prior to the transport. If an employee reports to work and there is reasonable suspicion of alcohol use, the employee may be driven to the Laramie County Sheriff's Department for a breathalyzer test, or a portable breathalyzer test kit can be used on site. A refusal to provide either urine or blood specimens, or to take a breathalyzer test, or adulterating, tampering, or otherwise hindering the testing process or results, shall constitute a presumption of substance abuse/intoxication. The employee may be immediately dismissed from employment with Laramie County. In any case of suspected impairment where the employee is tested, or refuses to test, the Supervisor shall contact the Human Resources Officer, the Risk Manager, or the County Attorney.

(a) Reasonable Suspicion. Reasonable suspicion means suspicion based on specific personal observations which the supervisor can describe concerning erratic and/or negligent job performance, a consistent pattern of absences in attendance, obvious changes in appearance and behavior, slurred speech or suspicious breath odor of the



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employee. The supervisor shall document specific details of these incidents, to be retained in a secure file. The supervisor shall also make a written statement within twenty-four (24) hours documenting these observations and submit this statement to the County Human Resource Officer, Risk Manager, or County Attorney. The employee required to test due to cause is released from duty with pay, directly after the test, pending the result of the substance abuse testing.

C. Post Accident

Employees are required to submit to a post-accident drug test, and will be directed to report to the collection site so that a drug test may be performed. The employee may be taken to the collection site by a supervisor, manager, or HR Director. The employee involved may not consume alcohol for 8 hours after the accident, or until he/she has taken an alcohol test, whichever comes first. The employee must remain readily available for such testing and may not take any action to interfere with the testing or the results of testing. The employee may not return to duty until the test results are received and return to work is cleared and authorized by the employer. Accident is defined as an unplanned, undesired event, not necessarily resulting in injury, but damaging property and/or interrupting the activity in process, to the point where it is judged to be more than a minor incident. Discretion and judgment of Risk Management and/or the Department Head may be applied in individual situations; however, in cases of doubt, the testing should be done. In all cases where there is injury or death, or significant property damage, a post accident test shall be done.

Random Testing

Random drug and alcohol testing is applied to Commercial Driver License required positions, under the Department of Transportation Regulations. Random Testing is only applied to these safety sensitive and DOT regulated positions.

Refusal to Test

A refusal to provide either urine or blood specimens, or to take a breathalyzer test, or adulterating, tampering, or otherwise hindering the testing process or results, shall constitute a presumption of substance abuse/intoxication. The employee may be immediately dismissed from employment with Laramie County.

Substance Screening



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When requested, the employee shall sign a consent form authorizing a designated collection site to draw a specimen of blood and/or urine and release the results of the laboratory testing to his/her employer. The accepted laboratory standards will be utilized in determining when an employee tests positive for substance abuse.

A blood alcohol level equal to or exceeding .08% is indicative of legal intoxication. Lesser amounts of blood alcohol may result in impairment. Either may result in discipline or termination. When being tested for substance abuse, the employee shall provide two (2) samples. If the first sample tests positive, the laboratory shall proceed to immediately test the second sample. If the breathalyzer test results are positive or if both blood samples test positive discipline or termination may result.

Review of Drug Test Results

An employee who receives a positive confirmed test result may contest or explain the result within five (5) working days after written notification of the test result. This 5-day period is applied by the collection and testing agency employed by Laramie County, with the assistance of a Medical Review Officer.

Confidentiality of Results

All records relating to drug and alcohol testing are maintained in a confidential file in a secure location with controlled access, separate from personnel files, in Human Resources.

Prescription and Over-The-Counter Drugs/Medications

This policy is not meant to exclude the legal and appropriate use of prescription medication. The use of prescription drugs and/or over the counter medications shall be reported to the Supervisor and Human Resources, if such use has the ability to impair the performance of job duties or safety. A Medical Certification may be required, stating whether the essential functions of the position can be performed while taking the drug/medication. No employee shall ingest any prescribed or over-the-counter medication in amounts exceeding the recommended dosage.

Supervisor and Employee Training

Laramie County provides at least one (1) hour of employee substance abuse education training per year. Supervisors are provided two (2) hours substance abuse training per year.

Rehabilitation Program

A rehabilitation and return to work program may be offered, but is not guaranteed, in the case of a positive and confirmed test for alcohol. In the case of a positive and confirmed test for controlled substances, a rehabilitation program may be offered, but is not guaranteed. In either case, termination



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may result. The Laramie County Health Insurance program may cover a portion of rehabilitation costs, whether an active employee or participating in COBRA. The Human Resources Office can provide information on rehabilitation programs, the employee may choose to access. If an employee participates in a rehabilitation program, he/she may utilize sick leave benefits, and other application paid and unpaid leave according to Laramie County Leave Policy. Upon completion of a rehabilitation program, the employee may be allowed to return to work. If the employee again tests positive for alcohol or substance abuse following return to the workplace, he/she shall be immediately discharged. All test results provided to Laramie County shall be treated with confidentiality and will generally be released only to the employee's supervisor, Human Resources, Risk Manager, the County Commissioners, and the Laramie County Attorney.

Voluntary Rehabilitation

Any Laramie County employee who considers him/herself to have a problem with substance abuse either in or out of the workplace may approach his/her Elected Official or Department Director, Human Resources, or Risk Manager, and request voluntary entrance into a rehabilitation program. Voluntary participation does not preclude discipline or termination if the employee is subsequently found to be in violation of the Substance Abuse Policy.

Criminal Conviction

Every employee shall notify the Elected Official or Department Manager within five (5) calendar days of any and all convictions for a violation of any statute involving drugs or controlled substances or any statute in which intoxication or consumption or presence of alcohol in the individual's body is an element, including, but not limited to, Driving Under the Influence, whether such offense took place in or out of the workplace. Such convictions may result in disciplinary action or termination of employment. The County Attorney/Risk Manager and HR should be notified immediately by the Elected Official or Department Manager.

Employees Driving County Vehicles

Those employees chosen for employment(or employed) in County positions for which driving a County vehicle or County equipment is required, may be subject to drug testing as: Pre-employment, Probable Cause, Random, and Post-Accident. Those positions requiring a Class A Commercial Drivers' License are subject to provisions of the regulations of the United States Department of Transportation. Compliance with the minimum requirements of the U.S. Department of Transportation and its minimum consequences does not guarantee an employee will be returned to work following a violation of Laramie County Policy. Employees driving county vehicles are required to maintain an acceptable driving record and a valid driver's license. Any county driver whose status is in violation of the Laramie County Safety



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Manual driving record criteria guidelines, and/or whose driver's license becomes suspended or revoked, may not drive any vehicle on County business, and may be subject to duty reassignments, discipline or termination.

Access to Policy

The Substance Abuse Policy is available as a part of the Personnel Policy, which is available to all employees in the form of a personal copy, reference copies in each department and in Human Resources, and via computer access. Notification of the testing program is posted in the Human Resource Department and in each County building.