



Administrative Services Committee Commission Chamber- 9/28/2016- 1:20 PM
Meeting

ADMINISTRATIVE SERVICES

1. Approve the purchase of one prepared food transport van for the Augusta Recreation Department, Community Services, to support the Senior Nutrition Program. (Bid 16-165B)  [Attachments](#)
2. Approve the purchase of five (5) 4-inch bypass pumps for the Utilities Department-Facilities Maintenance Division to be used at sewage lift stations using the GMA lease program.  [Attachments](#)
3. Request to approve by Resolution the FY 2017 Annual Action Plan for the following programs funded by the U.S. Department of Housing and Urban Development (HUD): Community Development Block Grant (CDBG) Program, Home Investment Partnerships (HOME) Program, Emergency Solutions Grant (ESG) Program, Housing Opportunities for Persons with AIDS (HOPWA) Program.  [Attachments](#)
4. Motion to approve the minutes of the Administrative Services Committee held on September 13, 2016.  [Attachments](#)
5. Receive a report from the Clerk's Office regarding the policies for random drug testing procedures used by other Georgia cities.  [Attachments](#)
6. Approve continued in-house Records Retention and Management and utilize SPLOST VII funding designated for Records Retention to renovate and expand the former License and Inspections Building at 1815 Marvin Griffin Road for Records Retention or another suitable location.  [Attachments](#)



Administrative Services Committee Meeting
9/28/2016 1:20 PM
2016 - Recreation Food Transport Van

Department: Central Services - Fleet Management Division

Presenter: Ron Crowden - Fleet Manager

Caption: Approve the purchase of one prepared food transport van for the Augusta Recreation Department, Community Services, to support the Senior Nutrition Program. (Bid 16-165B)

Background: The Augusta Recreation Department is requesting the purchase of one prepared food transport van to assist in their ongoing “Meals on Wheels” program. The need for this type of vehicle is critical due to the growing number of homebound senior citizens who are not able to support their nutritional needs on a daily basis. This new unit will assist the Department’s current fleet in providing nutritious meals to senior citizens

Analysis: The Procurement Department published a competitive bid using the Demand Star application for nation-wide distribution. In addition, Fleet Management provided the contact information of two known vendors produce this specialized type vehicle. It should be noted that bids were sent out on two different occasions for this vehicle. The results of the first bid showed no compliant bidders and the second bid showed the following results: Bid 16-165B: McClarin Plastics, LLC/DBA Amtech Corp = \$47,373.00. No other bids were received. Based on prices of the three existing vehicles that support this program we believe the price by McClarin Plastics is a competitively priced vehicle.

Financial Impact: The food transport van will be purchased for \$47,373 utilizing a Community Development Block Grant for \$46,153.00 and the remaining balance will be drawn from the 2016 Capital Outlay account (\$1,220).

Alternatives: 1) Approve the request 2) disapprove the request

Recommendation: Approve the acquisition of one prepared food transport van for the

Cover Memo
Item # 1

Augusta Recreation Department for \$47,373.00.

**Funds are Available
in the Following
Accounts:**

Community Development Block Grant: 221-07-3211/54.25310
Capital Outlay: 272-06-1110/54.25310

REVIEWED AND APPROVED BY:

Finance.

Procurement.

Law.

Administrator.

Clerk of Commission

Invitation To Re-Bid

Sealed bids will be received at this office until Friday, August 5, 2016 @ 11:00 a.m. for furnishing:

Re-Bid Item #16-165B Prepared Food Transport Van for Augusta Central Services Department – Fleet Management Division

Bids will be received by Augusta, GA Commission hereinafter referred to as the OWNER at the offices of:

Geri A. Sams, Director
Augusta Procurement Department
535 Telfair Street - Room 605
Augusta, Georgia 30901

Re-Bid documents may be viewed on the Augusta, Georgia web site under the Procurement Department **ARCbid**. Bid documents may be obtained at the office of the Augusta, GA Procurement Department, 535 Telfair Street – Room 605, Augusta, GA 30901. Documents may be examined during regular business hours at the offices of Augusta, GA Procurement Department.

All questions must be submitted in writing by fax to 706 821-2811 or by email to procbidandcontract@augustaga.gov to the office of the Procurement Department by Tuesday, July 26, 2016 @ 5:00 P.M. No bid will be accepted by fax, all must be received by mail or hand delivered.

The local bidder preference program is applicable to this project. To be approved as a local bidder and receive bid preference an eligible bidder must submit a completed and signed written application to become a local bidder at least thirty (30) days prior to the date bids are received on an eligible local project. An eligible bidder who fails to submit an application for approval as a local bidder at least thirty (30) days prior to the date bids are received on an eligible local project, and who otherwise meets the requirements for approval as a local bidder, will not be qualified for a bid preference on such eligible local project.

No bids may be withdrawn for a period of sixty (60) days after bids have been opened, pending the execution of contract with the successful bidder.

Invitation for bids and specifications. An invitation for bids shall be issued by the Procurement Office and shall include specifications prepared in accordance with Article 4 (Product Specifications), and all contractual terms and conditions, applicable to the procurement. **All specific requirements contained in the invitation to bid including, but not limited to, the number of copies needed, the timing of the submission, the required financial data, and any other requirements designated by the Procurement Department are considered material conditions of the bid which are not waiveable or modifiable by the Procurement Director.** All requests to waive or modify any such material condition shall be submitted through the Procurement Director to the appropriate committee of the Augusta, Georgia Commission for approval by the Augusta, Georgia Commission. Please mark BID number on the outside of the envelope.

Bidders are cautioned that acquisition of BID documents through any source other than the office of the Procurement Department is not advisable. Acquisition of BID documents from unauthorized sources placed the bidder at the risk of receiving incomplete or inaccurate information upon which to base his qualifications.

Correspondence must be submitted via mail, fax or email as follows:

**Augusta Procurement Department
Attn: Geri A. Sams, Director of Procurement
535 Telfair Street, Room 605
Augusta, GA 30901
Fax: 706-821-2811 or Email: procbidandcontract@augustaga.gov**

No bid will be accepted by fax, all must be received by mail or hand delivered.

GERI A. SAMS, Procurement Director

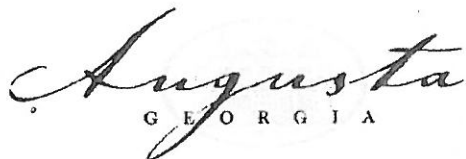


Re-Bid Opening
Re-Bid Item #16-165B Prepared Food
Transport Van
for Augusta, Georgia -
Fleet Management Department
Re-Bid Due: Friday, August 5, 2016 at 11:00 a.m.

Total Number Specifications Mailed Out: 12
Mandatory Pre-Bid/Telephone Conference: NOT APPLICABLE
Total packages submitted: 1
Total Noncompliant: 0

VENDORS	McClarin Plastics DBA AMTECH 180 East Jones Road Wapato, WA 98951
Attachment B	Yes
E-Verify Number	472615311/ 230622
SAVE Form	Yes
FOOD TRANSPORT VAN:	
Year	2016
Make	Ford
Model	XL
FOOD SERVICE SYSTEM:	
Year	2016
Make	TC Series
Model	Mealstar
BID PRICE	\$47,373.00
9.00 OPTIONAL ITEMS:	
9.01 110/220 VOLT PLUG IN	\$1,500.00
9.02 ADD SET OF RACKS WITH SUPPORTS	\$160.00
PROPOSED DELIVERY	10 - 12 weeks

Item # 1



Central Services Department

Takiyah A. Douse, Director
Ron Crowden, Fleet Manager

Fleet Management
1568-C Broad Street
Augusta GA 30904
Phone: (706) 821-2892

MEMORANDUM

TO: MS. GERI SAMS
FROM: RON CROWDEN
SUBJECT: BID AWARD REQUEST-BID 16-165B
DATE: AUGUST 10, 2016

Fleet Management would like to request the bid award for bid 16-165B, which opened on August 5th at 11:00 pm, be awarded to McClarin Plastics, LLC, of Wapato, Washington. The vendor was the sole bidder and satisfactorily met the required bid specifications. We have attached the results for your review.

Please let us know when the vendor paperwork is completed on this award so that we may move forward with the purchase process.

If you have any questions or concerns, please contact me.

Best Personal Regards,

A handwritten signature in dark ink, appearing to read "Ron Crowden", written in a cursive style.

Ron Crowden
Fleet Manager

2016 FOOD TRANSPORT VAN

FOOD TRANSPORT VAN - REC DEPT - BID OPENING 08/5/16 @ 11:00

BID 16-165B

Year

Make

Model

Bid Price

Delivery Date

McClarín Plastics, LLC

2016

Ford

XL

\$47,373.00

12 weeks

9.00 OPTIONAL ITEMS:

9.01 110/220 Volt Plug In

9.02 Additional Set of Racks with Supports

1,500.00

160.00

Superior Custom Designs Inc.
Attn: Sales
42 Allegheny Square,
Glassport, PA 15045

Allan Vigil Ford
Attn: Bob Burtner
6790 Mt. Zion Blvd.
P.O. Box 100001
Morrow, GA 30260

Nationwide Auto Group
Attn: Sales
917 US Highway 130
East Windsor, NJ 08520

Delivery Concepts East
Attn: Gary Sample
1012 NC Hwy 210 W
Hampstead, NC 28443

Amtech Corp/Mobile Advantage Div
Attn: Jay Goldsby
180 East Jones Road
Wapato, WA 98951

Gerald Jones Ford
Attn: Fleet Sales
3480 Wrightsboro Road
Augusta, GA 30919

Masters of Augusta – GMC
Attn: Buick– Frank Ward
Attn: GMC – Bernard Hughes
3710 Washington Road
Martinez, Ga 30907

Cushman
Attn: Sales
1451 Marvin Griffin Road
Augusta, GA 30906

National Truck Sales
Attn: Sales
82 Hampton Street
McDonough, GA 30253

ReeferTek USA, Corp.
Attn: Sales
133 Lincoln Ave., Suite 2
Bronx, NY 10454

Delivery Concepts Central
Attn: Sales
155 Covington Drive
Bloomington, IL 60108

Vending Trucks
Attn: Sales
5 Litchfield Rd
East Brunswick, NJ 08816

Tamlar Walton
DBE/Compliance Dept.

Russell Sanders
Fleet Management

Ron Crowden
Fleet Management

Re-Bid Item #16-165B
Prepared Food Transport Van
For Fleet Department
Mailed Out July 19, 2016

Re-Bid Item #16-165B
Prepared Food Transport Van
For Central Services-Fleet Department
Bid Due: Fri., 08/05/16 @ 11:00 a.m.

Item # 1



Administrative Services Committee Meeting
9/28/2016 1:20 PM
2016 - Utilities Pumps

Department: Central Services Department-Fleet Management Division

Presenter: Ron Crowden

Caption: Approve the purchase of five (5) 4-inch bypass pumps for the Utilities Department-Facilities Maintenance Division to be used at sewage lift stations using the GMA lease program.

Background: The Utilities Department-Facilities Maintenance Division would like to request the purchase of five (5) bypass pumps for sewage lift stations throughout the county in case of a power outage. Lift stations are required in certain areas of the county where there is a severe elevation difference in the sewage line grade. The lift stations are equipped with electrical pumps that lift the sewage from the lower elevation to the higher elevation for a continuous flow of the sewage through the line. When there is a power outage at the lift station, the sewage flow is stopped, backed up, and has the potential for spillover. Currently, the division has to pull their only bypass pump to that location, hook it up, and rectify the disrupted flow by manually pumping the sewage from the lower line to the higher line. The possibility for multiple power outages is present. The new additional pumps would be placed with one at each station and to be ready should there be a power disruption. These units would greatly assist in eliminating any major spillover problems therefore saving costly time and money for the department.

Analysis: The Utilities Department has requested to utilize the federal General Services Administration (GSA) bid program for this purchase. The GSA bid program is a federal sponsored program allowing various businesses across the nation to bid on selective items to be utilized by federal and city governmental entities. The low bid for this type pump was awarded to Thompson Pump Manufacturing Company, bid award number GS-07F-0140, as indicated by the attached paperwork. The vendor has also credited the department an additional 15% price discount for the quantity sale of 5 pumps. We have attached the competitor's price for their similar class pump for comparison purposes. Please see

Cover Memo
Item # 2

attachments

Financial Impact: The cost of the pumps is \$33,090.50 each for a total of \$165,452.50. Funding for the procurement of these pumps will be through the GMA lease program for 60 months with 5 annual payments of \$33,090.50 each.

Alternatives: 1. Approve the purchase of 5 bypass pumps. 2. Do not approve the request.

Recommendation: Approve the acquisition of 5 bypass pumps for the Utilities Department-Facilities Maintenance Division for a total of \$165,452.50.

**Funds are Available
in the Following
Accounts:** GMA Lease Program: 631-10-1110/54.99631

REVIEWED AND APPROVED BY:

**Finance.
Procurement.
Law.
Administrator.
Clerk of Commission**



Central Services Department

Takiyah A. Douse, Director
Ron Crowden, Fleet Manager

Fleet Management
1568-C Broad Street
Augusta GA 30904
Phone: (706) 821-2892

MEMORANDUM

TO: MS. GERI SAMS, DIRECTOR, PROCUREMENT
THROUGH: TAKIYAH A. DOUSE, DIRECTOR, CENTRAL SERVICES DEPARTMENT
FROM: RON CROWDEN, FLEET MANAGER
SUBJECT: PUMP PURCHASE-GSA CONTRACT # GS-07F-0140V FOR THE UTILITIES DEPARTMENT-FACILITIES MAINTENANCE
DATE: AUGUST 12, 2016

This memo is to request to utilize the national governmental award contract holder for the 4-inch skid mounted bypass pumps for the Utilities Department-Facilities Maintenance Division. The federal General Services Administration (GSA) contract holder for this pump application is Thompson Pump Manufacturing of Port Orange, Florida, and was awarded the national contract for this type of specialized pump for the 2016 year under contract number GS-07F-0140V. The department has requested this particular pump because it is the best unit available to handle the bypass duties at their 5 sewerage lift stations. There are no local dealers for this pump and the regional headquarters is located in Florida.

The uniqueness of this pump is such that if it were to be let out for bid, it would have to be written in such a manner that no other company would be able to comply. Please see the attached paperwork concerning their GSA governmental negotiated pricing being requested with an additional price reduction for a quantity purchase of five units. We have compiled and attached the necessary documents for your review which we feel will support this approval.

If you have any questions or concerns, please contact me.

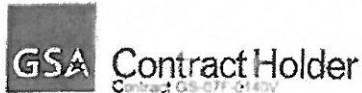
Best Personal Regards,

A handwritten signature in black ink, appearing to read "Ron Crowden", written over a horizontal line.

Ron Crowden
Fleet Manager

Cost Analysis - Pump Purchase
Utilites Department - Facilities Maintenance
Central Services Deapartment - Fleet Maintenance

Item	Xylem	Thompson Pump	GSA Contrat Price	GSA Contract Price w/15% quantity discount
4JSCM / Skit Mounted / Sound Attenuated	\$32,197.00	\$52,065.00	\$33,594.00	\$28,554.90
Auto Start / Stop Control by float	\$309.60	\$3,232.00	\$2,179.00	\$1,852.15
Throttle Acuator		\$1,683.00	\$1,134.00	\$963.90
SCADA Interface		\$3,000.00	\$2,023.00	\$1,719.55
Spares Kit	\$1,075.00			
Engine Filter Kit	\$160.00			
Delivery	\$867.20	\$0.00	\$0.00	\$0.00
Total	\$34,608.80	\$59,980.00	\$38,930.00	\$33,090.50



Thompson Pump & Manufacturing Co., Inc.
4620 City Center Dr., Port Orange, FL, USA 32119
(800) 767-7310 • Fax: (386) 761-0362
blee@thompsonpump.com



PRICE QUOTE

Description	Qty	Unit Price	Subtotal
• Duty points for specific stations listed on page 1 of this quote			
<u>Thompson Pump Model: 4JSCM-DYS-3TNV-MC</u>	1	\$28,554.90	\$28,554.90
→ 4" x 4" Skid Mounted, Compressor-Assisted, Sound Attenuated Pump			
→ Performance: 1,200 GPM Max, 132 TDH Max			
→ Max. Solids Handling: 3" Solids			
→ Engine: Yanmar 3TNV88 3-cylinder, water-cooled, Interim Tier IV diesel engine.			
→ Priming System: Enviroprime® is a "Green" compressor priming system that is environmentally friendly. It does not spew raw sewage/material being pumped onto the ground.			
→ Mounting: Skid including brackets for permanent installation			
→ Control Panel: Auto start/stop by floats with SCADA control			
→ Fuel tank: 50 gallon fuel cell. Max operating time is: 50-hours @ 1,800 RPM			
→ Sound Enclosure: "Silent Knight®" sound attenuated canopy. Removable drop-on sound enclosure constructed of 18 gauge solid galvaneel shell and 2" thick, 8lb density mineral wool, complete with 6 lockable doors. Noise level is at or below 66 dBA @ 7 meters.			
→ Standard Equipment: Lifting bail provision, locking provision for battery and fuel cap, integral fuel tank cleanouts and drain ports, ANSI Flange fittings, suction strainer, fuel gauge and a vacuum gauge.			
<u>Additional Options Breakdown:</u>			
→ Auto start /stop control	1	\$1,852.15	\$1,852.15
→ Throttle actuator	1	\$963.90	\$963.90
→ SCADA Interface	1	\$1,719.55	\$1,719.55
Total for Pump as shown with additional options & including freight:			\$33,090.50

* Terms & Conditions *

• FOB: DESTINATION
• TERMS: NET 30-DAYS (WITH APPROVED CREDIT)
• DELIVERY: 4 WEEKS OR SOONER AFTER RECEIPT OF A HARD COPY PURCHASE ORDER
• FREIGHT RATES: ANY & ALL FREIGHT RATES QUOTED ARE FOR BUDGETARY PURPOSES ONLY. ALL FREIGHT RATES QUOTED ARE AN ESTIMATE ONLY & ARE NOT BINDING TO THOMPSON PUMP
• PLEASE PROVIDE A TAX EXEMPTION CERTIFICATE AT TIME OF ORDER IF APPLICABLE / SALES TAX NOT INCLUDED IN QUOTATION
• NO PENALTIES OR LIQUIDATED DAMAGES ARE ACCEPTABLE
• CANCELLATION OF THIS ORDER OR RETURN OF THIS UNIT MAY RESULT IN RE-STOCKING FEES
• THIS QUOTE IS VALID FOR 30 DAYS

Item # 2



Thompson Pump & Manufacturing Co., Inc.
4620 City Center Dr., Port Orange, FL, USA 32119
(800) 767-7310 • Fax: (386) 761-0362
blee@thompsonpump.com



August 8, 2016

Reference: Quote # SARBL-1669

Augusta Utilities – Augusta Fleet Management

1568C Broad Street
Augusta, GA 30904
Phone: 706-821-2894
Email: rsanders@augustaga.gov

Attn: Russell Sanders

Hello Russell:

Thank you for your interest in Thompson Pump & Manufacturing and the products and services that we provide. We are providing GSA pricing for Thompson Pump Model **4JSCM-DYS-3TNV-MC**, a 4" Skid Mounted, Compressor-Assisted, Sound Attenuated Pump with options. This pump was selected based upon the flows of the following pump stations:

- **Cedar Grove: 120 GPM @ 36' TDH**
- **Sonic: 180 GPM @ 51' TDH**
- **Pepperidge: 400 PM @ 25' TDH**
- **Spanish Trace: 400 GPM @ 25' TDH**
- **Valley Park: 80 GPM @ 43' TDH**

The net price is derived from our GSA contract. Our GSA contract enables Augusta Utilities to avoid the hassle and expense of purchasing this pump through the public bid process. The GSA contract basically works like a "piggy back" for our equipment. You can order this unit by simply putting our GSA contract number on your purchase order. Our GSA contract number is: GS-07F-0140V. You can also visit us at www.gsaadvantage.gov and enter our contract number (GS-07F-0140V) to view our contractors' page.

Thompson Pump is offering a special **negotiated quantity discount** of 15% off the current GSA pricing based on a 5 pump order for the pump stations listed above.

Should you require further information or have any questions, please feel free to contact me directly.

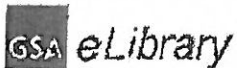
Sincerely,

Thompson Pump & Manufacturing
Municipal Sales Engineer
Office 386.944.4133
Cell 386.212.6999
Email: blee@thompsonpump.com

Item # 2

GSA eLibrary Contractor Information

1/26/2016 4:34:10 PM



GSA
Federal
Acquisition
System

Home My Account GSA Advertising Online Shopping Help

Search: all the words

Contractor Information

(Vendors) How to change your company information

Contract #:	GS-07F-0140V	Socio-Economic :	Small business
Contractor:	THOMPSON PUMP AND MANUFACTURING COMPANY, INC.	EPLS :	Contractor not found on the Excluded Parties List System
Address:	1496 HERBERT ST PORT ORANGE, FL 32129-4136	Govt. Point of Contact:	
Phone:	386-944-4107	Lloyd A. Nelson	
E-Mail:	jfarrell@thompsonpump.com	Phone: 817-850-8111	
Web		E-Mail: lloyd.nelson@gsa.gov	
Address:	http://WWW.THOMPSONPUMP.COM	Contract Clauses/Exceptions:	
DUNS:	053396529	View the specifics for this contract	
NAICS:	333911		

Source	Title	Contract Number	Contractor T&Cs /Pricelist	Contract End Date	Category		View Catalog
84	TOTAL SOLUTIONS FOR LAW ENFORCEMENT, SECURITY, FACILITIES MANAGEMENT, FIRE, RESCUE, CLOTHING, MARINE CRAFT AND EMERGENCY/DISASTER RESPONSE	GS-07F-0140V		Jan 31, 2019	465 11		



Thompson Pump & Manufacturing Co., Inc.
4620 City Center Dr., Port Orange, FL, USA 32119
(800) 767-7310 • Fax: (386) 761-0362
blee@thompsonpump.com



August 8, 2016

Reference: Quote # SARBL-1669

Augusta Utilities – Augusta Fleet Management

1568C Broad Street
Augusta, GA 30904
Phone: 706-821-2894
Email: rsanders@augustaga.gov

Attn: Russell Sanders

Item	Non-Contact / Retail Cost	GSA Contract Price	GSA Contract Price w/ 15% quantity discount
4JSCM / Skid Mounted / Sound Attenuated	\$52,065	\$33,594	\$28,554.90
Auto Start / Stop Control by floats	\$3,232	\$2,179	\$1,852.15
Throttle Actuator	\$1,683	\$1,134	\$963.90
SCADA Interface	\$3,000	\$2,023	\$1,719.55
Total	\$59,980	\$38,930	\$33,090.50
	Savings of \$21,050		Additional savings of \$5,839.50
Overall savings from retail to quantity discount - \$26,889.50 (55% off retail)			

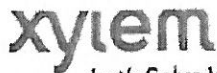
Should you require further information or have any questions, please feel free to contact me directly.

Sincerely,

Thompson Pump & Manufacturing
Municipal Sales Engineer
Office 386.944.4133
Cell 386.212.6999
Email: blee@thompsonpump.com

SILENT KNIGHT® SOUND ATTENUATED PUMPS						
Size (in.)	Pump Unit Model No.	Max Cap. (GPM)	Max Head (ft.)	Engine Model	Skid GSA Price	Site Trailer GSA Price
Wet Prime / Self-Priming (HT/TS)						
6	6HT-DJD-45TF74-MC	1,500	102	John Deere 4045TF290-74	\$ 31,612	\$ 33,046
4	4TS-DJD-45TF74-MC	930	112	John Deere 4045TF290-74	\$ 31,522	\$ 32,942
6	6TS-DJD-45TF74-MC	1,460	150	John Deere 4045TF290-74	\$ 33,010	\$ 34,429
8	8TS-DJD-45HF115-MC	2,600	160	John Deere 4045HF285-115	\$ 46,830	\$ 49,156
Enviroprime® Compressor-Assisted (TSC)						
4	4TSC-DJD-45TF74-MC	930	112	John Deere 4045TF290-74	\$ 35,819	\$ 37,238
6	6TSC-DJD-45TF74-MC	1,460	150	John Deere 4045TF290-74	\$ 38,183	\$ 40,154
8	8TSC-DJD-45HF115-MC	2,600	160	John Deere 4045HF285-115	\$ 51,332	\$ 53,895
Enviroprime® Compressor-Assisted (JSC)						
4x4	4JSCM-DY-3TNV-MC	1,450	175	Yanmar 3TNV	\$ 33,594	\$ 35,014
4x4	4JSCM-DJD-24TF49-MC	1,450	175	John Deere 2024TF281-49	\$ 33,979	\$ 35,399
4x4	4JSCC-DJD-45TF74-MC	1,450	230	John Deere 4045TF290-74	\$ 41,472	\$ 43,443
4x4	4JSCD-DJD-45HF115-MC	1,310	330	John Deere 4045HF285-115	\$ 48,044	\$ 50,606
6x4	6JSCD-DJD-45HF154-MC	1,410	440	John Deere 4045HF485-154	\$ 50,601	\$ 53,163
6x6	6JSCEN-DJD-24TF49-MC	2,500	140	John Deere 2024TF281-49	\$ 36,392	\$ 38,751
6x6	6JSCEN-DJD-45TF74-MC	2,600	195	John Deere 4045TF290-74	\$ 38,645	\$ 41,024
6x6	6JSCE-DJD-45TF74-MC	2,600	195	John Deere 4045TF290-74	\$ 45,433	\$ 47,995
8x6	8JSCE-DJD-45HF154-MC	3,200	300	John Deere 4045HF485-154	\$ 52,923	\$ 55,526
10x8	10JSCG-DJD-45HF154-MC	4,500	220	John Deere 4045HF485-154	\$ 73,661	RTF
12x10	10JSCF-DJD-90H275-MC	4,000	350	John Deere 6090HF485-275	\$ 86,511	RTF
12x12	12JSCG-DJD-90H275-MC	5,300	405	John Deere 6090HF485-275	\$ 86,511	RTF
12x12	12JSCI-DJD-45HF154-MC	7,800	102	John Deere 4045HF485-154	\$ 71,382	RTF
Vacuum Assisted (V / TSV)						
6	6V-DJD-45TF74-MC	1,500	102	John Deere 4045TF290-74	\$ 39,577	\$ 41,548
8	8V-DJD-45TF74-MC	2,600	168	John Deere 4045TF290-74	\$ 44,527	\$ 47,405
6	6TSV-DJD-45TF74-MC	1,700	155	John Deere 4045TF290-74	\$ 40,425	\$ 42,397
Oil-less Vacuum Assisted (JSV)						
4x4	4JSVM-DY-3TNV-MC	1450	175	Yanmar 3TNV	\$ 37,244	\$ 38,821
4x4	4JSVM-DJD-24TF49-MC	1,450	175	John Deere 2024TF281-49	\$ 37,629	\$ 39,206
4x4	4JSVC-DJD-45TF74-MC	1,450	230	John Deere 4045TF290-74	\$ 45,676	\$ 47,647
4x4	4JSVD-DJD-45HF115-MC	1,350	330	John Deere 4045HF285-115	\$ 51,186	\$ 53,749
6x6	6JSVE-DJD-45TF74-MC	2,600	195	John Deere 4045TF290-74	\$ 48,681	\$ 51,243
8x6	8JSVE-DJD-45HF154-MC	3,200	300	John Deere 4045HF485-154	\$ 54,326	\$ 56,929
12x12	12JSVJ-DJD-45HF154-MC	7,800	102	John Deere 4045HF485-154	\$ 72,882	RTF

Thompson Pump Options & Accessories	
Adders	GSA Price
Oil-less Vacuum Pump Adder (OVT)	\$ 561
2" Ball Hitch	\$ 40
DOT Approved Trailer Light Package	\$ 259
Electric Brakes - per axle	\$ 693
Hydraulic Surge Brakes - per axle	\$ 825
Hose Racks	\$ 775
120 Volt /10AMP Battery Charger	\$ 412
Solar Battery Charger (1.5 AMP, 20 Watt)	\$ 784
Control Panels - Auto Start/Stop - Floats - Transducers	GSA Price
Thompson Auto Start/Stop Control Panel for mechanically governed engines with floats and a float storage box. The panel will be a EP250 and it only supports mechanical floats or a pressure switch	\$ 2,179
Thompson Auto Start/Stop Control Panel for electronically governed engines with floats and a float storage box. The panel will be the Can Plus 750 or the RYESO MC228. These panels will also support pressure or level transducers	\$ 3,259
Thompson Auto Start/Stop Control Panel for electronically governed engines with floats and a float storage box. The panel will be a Lofa and it only supports floats	\$ 3,836
Control Panel Options - Hydraulic Power Unit:	
Thompson Auto Start/Stop Control Panel for mechanically governed engines with floats and a float storage box. The panel will be a Lofa EP250 and it only supports mechanical floats	\$ 3,424
Note: Auto start/stop control panels include an audible alarm and flashing light to indicate the automatic start-up of the pump. Consult Factory for additional information.	
Throttle Actuator:	
Required for mechanical engines to run a transducer	\$ 1,134
Pressure Transducers:	
10 PSI Pressure Transducer w/ 50' of cable	\$ 1,421
23 ' Level Transducer w/ 50' of cable and leveling guard	\$ 1,962
Telemetry - Auto Dialers - SCADA	GSA Price
Thompson Auto Start/Stop Control Panel for electronically governed engines with telemetry - Can Plus 750 and RYESO-MC228	\$ 4,454
SCADA Interface:	
NEMA junction box with internal terminal block equipped with 6 alarm output signals and interposing relays with 6 dry contact alarms	\$ 2,023
Auto Dialer - Antx Scout	\$ 4,401
Internet Access for Can 750 Plus with Telemetry - Price per month	\$ 60
Silent Knight® Sound Attenuated Canopy	GSA Price
Centralized grease fitting station for Silent / Arctic Knight®	\$ 268
ESPAR Diesel Space Heater for Arctic Knight® Units	\$ 3,200
Extra Deep Draw Battery for Arctic Knight®	\$ 289
Pneumatic drain valve to automatically drain the pump	\$ 1,011
See thru window on Silent/Arctic Knight® enclosure door	\$ Item #723



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godwin®



225 Farmington Drive
 Summerville, SC 29486
 Tel: 843-818-2266
 Fax: 843-818-2230
 www.godwinpumps.com

August 3, 2016

Mr. Russell Sanders
 Augusta Utilities Department
 2760 Peach Orchard Road
 Augusta, GA 30906

Phone: 706-821-2894
 Email: rsanders@augustaga.gov

RE: CD103M Purchase 5 Units
Sale Quotation 110013407

Dear Mr. Sanders:

Thank you for your interest in Godwin Pumps of America, a Xylem brand. We appreciate your business. Godwin Pumps is pleased to provide you with the following purchase price of our Dri-Prime Model CD103M, portable diesel powered pumpset.

Specifically the model quoted herein features and includes:

- Capable of flows to 1020 GPM
- Capable of Heads to 175 Feet
- Indefinite dry running ability
- Self-priming capability (to 28 feet) without operator assistance
- Estimated maximum fuel consumption: 2.4 gph @ 2200 rpm
- Solids Handling up to 3 inches
- Fully Programmable PrimeGuard 2 is included with pumpset
- Entire pumpset surrounded by a sound attenuated enclosure limiting noise production to 69DBA @ 30 Feet.

A model specific cut sheet containing technical data has been included for your review and use. We have also included a credit application. Please allow 8-10 weeks for delivery after receipt of order.

Thank you for this opportunity! We hope that the information provided herein suits your current needs. If you have any questions, or if you require any additional information, please do not hesitate to contact us at (912) 577-1268.

Sincerely,

Daniel Collier
 Outside Sales Representative

DC / hr

Item # 2

Home Office:

Augusta Utilities Department
 Attention: Mr. Russell Sanders
 Sale Quotation # 110013407
 Page 2 of 2

225 Farmington Drive
 Summerville, SC 29486
 Tel: 843-818-2266

xylem
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SALE QUOTATION

ITEM	QTY	DESCRIPTION	UNIT PRICE	SALE TOTAL
A	1	Godwin Dri-Prime CD103M Critically Silenced • Sound Attenuated Enclosure • 4" 150# Flanged Suction & Discharge • Isuzu 4LE2T FT4 Diesel Engine • Includes PrimeGuard Engine Controller • Skid-mounted	\$ 32,197.00	\$ 32,197.00
	1	KTCD103MRS14 CD103M Diesel 1-2 yr Spares Kit	1,075.00	1,075.00
	1	KTISUZU4LEFK03 Isuzu 4LE2T T4 Engine Filter Kit	160.00	160.00
B	1	Godwin PrimeGuard Float Set • w/ 65' Mechanical Floats	309.60	309.60
C	1	DELIVERY MOTOR FRT BR 010 PARTIAL LOAD	867.20	867.20
				\$ 34,608.80
COMPETITOR'S PRICING			NET SALE TOTAL	\$ 34,608.80
			DELIVERY CHARGE	TBD

Please note all sale pricing is in U.S. Dollars. The price does not include freight, export boxing, duties, taxes, or any other items not specifically mentioned.

Item # 2

This pricing information is for internal use only. We ask that these items and terms be kept confidential. All applicable tax and freight charges will be added to invoices. All quotations are subject to credit approval. All quotations are valid for 30 days. All prices quoted in US dollars.



Administrative Services Committee Meeting
9/28/2016 1:20 PM
2017 Annual Action Plan

Department: Housing and Community Development

Presenter: Hawthorne E. Welcher, Jr. and Shawn L. Edwards

Caption: Request to approve by Resolution the FY 2017 Annual Action Plan for the following programs funded by the U.S. Department of Housing and Urban Development (HUD): Community Development Block Grant (CDBG) Program, Home Investment Partnerships (HOME) Program, Emergency Solutions Grant (ESG) Program, Housing Opportunities for Persons with AIDS (HOPWA) Program.

Background: In order to fulfill statutory and regulatory requirements mandated by the U.S. Department of Housing and Urban Development with regard to the FY2017 Annual Action Plan, the City of Augusta, Georgia is required to make available for public comment the FY2017 Annual Action Plan that provides the jurisdiction an opportunity to review the City of Augusta's Housing and Community Development Department's local strategy to address needs in the areas of community development, economic development, affordable housing and homelessness.

This proposal includes an Annual Action Plan for 2017 with a budget that includes proposed funding allocations for the Community Development Block Grant (\$1,675,892), HOME (\$719,023), ESG (\$152,133), HOPWA (\$1,048,948) and Program Income from loan repayments (CDBG & HOME).

Analysis: If approved by the Augusta – Richmond County Commission, the Housing and Community Development Department will be capable of funding these projects in accordance with the submission of the FY2017 Annual Action Plan to the U. S. Department of Housing and Urban Development (HUD). Careful and serious consideration has been given to these projects suggested by citizens.

Financial Impact: If approved by the Augusta – Richmond County Commission, the 2017 Annual Action Plan will allow for the Housing and

Cover Memo

Community Development Department to continue to provide funding of needed services and housing projects for low- to moderate-income households throughout the City of Augusta, Georgia.

Alternatives: None Recommended.

Recommendation: Accept the FY2017 Annual Action Plan by Resolution at the conclusion of the thirty (30) day public comment period (end at 12:noon 10/14/16).

**Funds are Available
in the Following
Accounts:** N/A

REVIEWED AND APPROVED BY:

**Finance.
Law.
Administrator.
Clerk of Commission**



**Administrative Services Committee Meeting
9/28/2016 1:20 PM
Minutes**

Department: Clerk of Commission

Presenter:

Caption: Motion to approve the minutes of the Administrative Services Committee held on September 13, 2016.

Background:

Analysis:

Financial Impact:

Alternatives:

Recommendation:

**Funds are Available
in the Following
Accounts:**

REVIEWED AND APPROVED BY:



Administrative Services Committee Meeting Commission Chamber - 9/13/2016

ATTENDANCE:

Present: Hons. Hardie Davis, Jr., Mayor; M. Williams, Chairman; D. Williams, Vice Chairman; Davis, member.

Absent: Hon. Lockett, member.

ADMINISTRATIVE SERVICES

1. Discuss Commission Policy for the Drafting of Ordinances and Code Amendments. **(Requested by Commissioner Sias)** **Item Action: Approved**

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
Approve	Motion to approve recommending to the full Commission that the Mayor's signature block be eliminated on this document and leave the Clerk's attestment in place. Motion Passes 3-0.	Commissioner Dennis Williams	Commissioner Mary Davis	Passes

2. Discuss the authority to discontinue compensation paid to commissioners appointment to the various boards, authorities and commissions. **(Referred from September 6 Commission meeting)** **Item Action: Approved**

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
	Motion to approve referring to the full Commission with no recommendation the matter of the reinstatement			

of compensation to the ex-officio Commission member who serves on the Planning Commission and receive information regarding which boards have provided such compensation in the past. Motion Passes 3-0.

Approve	Commissioner Mary Davis	Commissioner Dennis Williams	Passes
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3. Motion to approve the minutes of the Administrative Services Committee held on August 30, 2016. **Item Action: Approved**

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
Approve	Motion to approve. Motion Passes 3-0.	Commissioner Mary Davis	Commissioner Dennis Williams	Passes

4. Discuss random drug testing. (Referred from September 6 Commission meeting) **Item Action: Approved**

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
Approve	Motion to approve tasking the Clerk with contacting the governments of Savannah, Macon, Columbus and Athens regarding how they handle their policies for random drug testing and report back to the committee in two weeks. Motion Passes 3-0.	Commissioner Mary Davis	Commissioner Dennis Williams	Passes

5. Discuss the custody and charge of all official records, books and papers belonging to the Augusta Commission. (Requested by Commissioner Ben Hasan) **Item Action: Approved**

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
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Approve	Motion to approve using the process that all official documents approved by the Commission that was used by former City Attorneys Wall and Shepard regarding documents being returned to the Clerk of Commission's Office for the city's official and permanent file. Motion Passes 3-0.	Commissioner Mary Davis	Commissioner Dennis Williams	Passes
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6. Discuss certain elected officials' compensation. **(Requested by Commissioner Bill Fennoy)**
- Item Action:**
Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
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Delete	Motion to delete this item from the agenda.	Commissioner Mary Davis	Commissioner Dennis Williams	
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Unanimous consent is given to delete this item from the agenda.

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**Administrative Services Committee Meeting
9/28/2016 1:20 PM
Random Drug Testing**

Department: Clerk of Commission

Presenter:

Caption: Receive a report from the Clerk's Office regarding the policies for random drug testing procedures used by other Georgia cities.

Background:

Analysis:

Financial Impact:

Alternatives:

Recommendation:

**Funds are Available
in the Following
Accounts:**

REVIEWED AND APPROVED BY:

CITY OF SAVANNAH, GEORGIA

CITY OF SAVANNAH POLICY MANUAL**HUMAN RESOURCES**

Policy Number:	HR-017
Effective Date:	July 1985
Revision Date:	April 1999
Revision Date #2:	January 1, 2005
Revision Date #3:	September 11, 2012
Authority:	City Manager

ALCOHOL AND CHEMICAL USE POLICY**I. PURPOSE:**

The City of Savannah recognizes alcohol and drug abuse as one of the most destructive issues facing our employees and their families. The City has a strong commitment to its employees and the public to provide a safe, drug-free work environment. This policy addresses the problem of substance abuse in the workplace, provides ways to keep the workplace safe and drug free, and clarifies expectations and penalties applicable to all employees. The City of Savannah defines in the policy the administrative responsibility and process for addressing the use of illegal drugs and the abuse of alcohol on or off the job which may affect the employee's ability to safely perform the essential functions of the job. The policy meets the Department of Transportation's (DOT) requirements concerning drug testing for employees who use a commercial driver's license (CDL) in their work. Additional guidelines concerning City drivers are in the City's Vehicle Operator's policy RM-001.

II. DEFINITIONS:

Last Chance, refers to the opportunity for an employee to retain his/her position with the City of Savannah with the Department Director's approval if the employee agrees to complete the appropriate alcohol/drug intervention program as recommended by the Employee Assistance Coordinator (EAP).

Drug Screen, a method of identifying the presence of one or more controlled drugs or one or more illegal substances, usually in urine.

Non-negative drug screen, a screen that indicates the presence of one of the drugs of abuse. A confirmation drug test is required to meet the criteria of positive or negative outcome.

Drug Test, a Gas Chromatography/Mass Spectrometry (GC/MS) – The confirmation test that is required for all non-negative drug screens and for all (negative and non-negative) drug screens for employees who have CDLs as part of their jobs.

HR-017-1

Medical Review Officer (MRO) - a licensed Medical Doctor with a history of substance abuse diagnostic work.

III. POLICY:

A. Prevention and Education: This policy encourages employees not to use illegal drugs, abuse alcohol, or use prescription drugs illegally. Drug and alcohol testing is a means of maintaining a drug-free work environment. Its purpose is to deter employees from the use of illegal drugs or abuse of alcohol or prescription medication, and defines the consequences of violating this policy which may affect their continued employment with the City. The policy is structured to provide training and education to employees about the personal health dangers and possible employment consequences of drug and alcohol abuse.

B. Assistance for Employees with Substance Abuse Problems: This policy sets guidelines for employees with substance abuse problems while recognizing that addiction to alcohol or drugs is an illness. The policy will reflect this understanding, but will also evaluate the employee's job performance, acceptance of having substance abuse issues, motivation to get help, and compliance with treatment and other interventions.

C. Regulations:

1. It is a violation of this policy to manufacture, distribute, possess, use, sell, trade, buy, or offer to buy illegal drugs on or off the job.
2. The use of alcohol while on work time or work premises shall be prohibited.
3. Reporting to work or working while intoxicated or otherwise impaired by alcohol, or a Blood Alcohol Level (BAL) of .02 or above shall be prohibited.
4. The use of alcohol off-duty in a manner that tends to undermine the reputation, authority, or efficiency of the City of Savannah shall be prohibited. Employees wearing uniforms or using City vehicles in off-duty situations must refrain from any use of alcoholic beverages.
5. Any City employee who drives as an essential function of his/her position, has an assigned City vehicle, or who is required to drive as a part of his/her work and is arrested for driving under the influence (DUI) must immediately report the incident to his/her supervisor prior to his/her next shift and provide the supervisor with a copy of the citation, driver's license, or other pertinent information.

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An arrest for DUI will result in immediate suspension of City driving privileges until adjudicated. Due to the inability of the employee to perform an essential function of his/her position, i.e. driving, all employees arrested for DUI will receive an immediate reduction in pay of 10% starting the date the DUI citation was issued. This reduction in pay will continue until a determination is made by the Court. If the Court has not made a determination regardless of the reason after one (1) year from the date the DUI citation was issued, the employee will be terminated. If the employee is found innocent of DUI after being terminated one (1) year after the date of the DUI citation, the employee may reapply for employment with the City once the Court documentation is provided to the Risk Management Administrator. Human Resources will conduct a background check before considering employee for re-employment.

A probationary employee arrested for DUI will be terminated immediately.

The Department Head is to report the arrest along with a copy of the citation to the Risk Management Administrator. The employee is to be evaluated by the EAP Coordinator within 48 hours of notice to the supervisor. The referral to EAP is a mandatory referral. After consulting with the Risk Management Administrator and the EAP Coordinator, the Department Head will determine if the "Last Chance" program is offered to the employee.

If the Court convicts the employee of DUI, a copy of the court documents must be delivered to the employee's Department Head prior to the start of their next shift. If the employee is convicted and fails to deliver the court documents to his/her Department Head, the employee will be terminated. The employee's continued employment with the City will be evaluated by the Department Head, Risk Management Administrator, and the Human Resources Director. A determination will be made within five (5) business days from the date notice is given to the Department Head of the conviction. If employment is allowed to continue, the employee's reduction in pay and ineligibility to operate a City vehicle will continue for the duration of the suspension of the employee's license as determined by the Court, but not less than six (6) months, whichever is longer.

If the employee is determined to be innocent of DUI without any conviction for other charges, and their driver's license is valid, the employee will be returned to his former position and rate of pay within five (5) business days after written documentation from the Court is submitted to the employee's Department Head. If the employee is determined to be innocent of DUI, but the DUI is reduced or changed to a different charge (e.g. reckless driving) and the employee is convicted of that charge, the employee will be subject to an evaluation for the role of alcohol in a manner similar to when the initial DUI citation is reported (see above) and penalties will be assessed accordingly. Such penalties could include a continuation of the penalties and restrictions imposed as a result of the

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arrest as well as any other additional disciplinary actions determined to be appropriate. Consideration will be given to reimburse the employee for lost wages due to the initial DUI arrest, if exonerated of all charges.

6. The use of over the counter or prescription drugs while on work premises, or while working, which could affect or impair the ability to function on the job shall be prohibited, unless the employee's physician has been notified of the duties involved with the employee's position and has approved, in writing, the use of the drug while that employee is performing those duties. The employee should provide written documentation from the physician to the Employee Health and Wellness Coordinator.
7. Any employee who is arrested or convicted (including a plea of nolo contendere) of violating any criminal drug statute of any jurisdiction, regardless of whether the alleged violation occurred at the workplace or elsewhere, must notify the Human Resources Director and his/her Department Head in writing of each arrest or conviction as soon as possible, but before reporting to their next shift.
8. It is a violation of policy for any employee to use prescription drugs illegally (i.e. to use prescription drugs that have not been legally obtained or in a manner or purpose other than prescribed.) However, nothing in this policy precludes the use of legally prescribed medication in accordance with Section C.6 of this policy.
9. A non-negative drug screen while at work (for cause or random) will result in automatic suspension with pay until a laboratory confirmation is received and results are reviewed by a MRO. Once the MRO communicates a positive confirmation to the City in writing, the employee will be suspended without pay for five working days. Should the City decide to retain the employee, it will be pursuant to a "Last Chance" agreement and he/she will be placed on probation for a period of six months. Referral will be made to the EAP Coordinator for evaluation. Criteria as outlined in the Vehicle Operator's policy RM-001 will apply to employees who are primary drivers.
10. Sworn uniformed police employees, uniformed firefighting employees, and other safety sensitive or critical workforce personnel will not necessarily be extended the offer for treatment under the City's "Last Chance policy." Any positive drug test confirmed by the MRO may result in termination.

D. Reasons for Testing:

The City of Savannah will or may test for drugs or alcohol in the following circumstances:

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1. As a pre-employment screen to guard against hiring people with current drug use problems (see Section E).
2. When, in the opinion of the Department Head or designated supervisors, there is reasonable suspicion that an employee has violated any provision of this policy dealing with the use of alcohol and/or any controlled substance (see Section F).
3. When any employee has an on-the-job vehicular collision regardless of fault in a City vehicle or an on-the-job collision/accident regardless of fault while operating City equipment (see Section G).
4. Any work-related injury that results in the employee seeking medical help under Workers' Compensation or any employee participating in pain management for a compensable work related injury (see Section H).
5. Random screens under DOT guidelines for employees with a CDL (see Section I).
6. Random screens for employees in positions designated as "safety sensitive" (refer to Safety Sensitive List in City Information Center [CINC] under policies and forms) (see Section J).
7. Random screens for employees in positions designated as "critical workforce" (refer to Critical Workforce List in City Information Center [CINC] under policies and forms) (see Section J).
8. Random screens for two years for employees under contract for mandatory treatment with the EAP Coordinator (see Section K).

E. Pre-employment Drug Testing:

1. All applicants who are offered employment must submit to a urine drug test.
2. A positive drug screen invalidates the offer made by the City to the individual seeking the position. The individual will not be able to re-apply for employment with the City for one year.
3. Refusal by an applicant to be tested will result in the job offer being rescinded. The individual will not be able to re-apply for employment with the City for one year.
4. Management of the drug testing, choice of laboratory site and filing of lab reports will be handled by the Human Resources Department.

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5. Any employee who is promoted/transferred within the City to position requiring a CDL is subject to a National Institute of Drug Abuse (NIDA) drug test coordinated through the Human Resources Department before assuming the position.
6. Any employee taking a CDL training class may be required to obtain a DOT physical which will include a NIDA test.

F. Procedures to be followed for Reasonable Suspicion Testing:

Reasonable suspicion exists when objective indications of alcohol and/or drug use that could affect job performance are observed. (Please see Attachment A, "Reasonable Suspicion Observation" as a guide). If the Department Head or his/her designee observes a reasonable suspicion such as repeated illnesses, bloodshot eyes, slurred speech, lethargic behavior, rapid weight loss, behavior inappropriate or inconsistent with the workplace, or odor of alcohol, the following procedures shall be followed:

1. The supervisor shall determine if there is a reasonable suspicion an employee may be under the influence of alcohol or drugs. If in doubt, the EAP Coordinator should be consulted.
2. A supervisor shall have at least one more supervisor or member of the management team verify suspicion through observance of the employee's behavior in the workplace. This second verification is required for all employees.
3. The employee shall be escorted by the supervisor to his/her office or to an area where confidentiality can be maintained. The other "observing" supervisor or management team member, who can maintain confidentiality, should be witness to the conversation and to provide corroboration.
4. The supervisor should use caution when questioning the employee about alcohol or drug use, although the supervisor may question the employee about observed behavior, smells, unusual physical appearance as well as job performance and/or work-related behavior. The *Reasonable Suspicion Observation* form (see Attachment A) for supervisors included in this policy must be used when testing an employee for cause. This form must be signed by two supervisors and returned to the City's EAP Coordinator within 24 hours of the drug test.
5. The Department Head will be notified of the decision to test the employee. The EAP Coordinator will also be notified so the lab can be informed of the employee to be tested. (If the EAP Coordinator is not available, the Human Resources Director should be notified.)

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6. The supervisor should escort the employee to the City's designated lab. The employee will be asked to sign a consent form prior to testing.
7. If the screen is negative, the employee is to return to work unless the supervisor questions the employee's ability to safely perform job functions. The supervisor should refer the employee to the Health & Wellness Coordinator who will then refer to the City's physician if there is a reason to believe the employee may be unfit for duty due to other medical reasons.
8. If the screen is non-negative, the supervisor should make the necessary arrangements to have the employee taken home. If the employee refuses assistance, or at any time during the process of this test decides to leave the worksite on their own, the police should be called to warn them of the employee's condition. For non-negative screens, the employee shall be placed on leave with pay until results from the drug test are confirmed. If the test is negative, the employee is to immediately return to work. If the confirmed test is positive, the employee is referred to the EAP Coordinator to be evaluated. The employee is immediately suspended without pay for 5 working days and will not be allowed to return to work until he/she has a negative drug screen and has been medically cleared by a physician.
9. The EAP Coordinator, Risk Management Administrator, Human Resources Director, and Department Head will consult following the evaluation of the employee in order to determine if the employee is eligible for the Last Chance Agreement. If the recommendation is to retain the employee, he/she will be required to follow through with a program of treatment monitored by the EAP Coordinator. Once the employee returns to work, he/she is subject to immediate termination for further alcohol or substance use, or failure to follow through with any of the terms of the Last Chance Agreement; or failure to follow all other City policies and procedures.
10. Employees who are required to drive as a part of their work may be subject to suspension or loss of driving privileges as result of a confirmed drug test. This disqualification from driving may result in demotion to a non-driving position or termination from employment (see Vehicle Operator's policy RM-001). Employees may return to driving status once they have successfully completed the interventions as set forth by the EAP Coordinator and Risk Management.
11. Refusal of an employee to consent to a drug or alcohol screen, refusal to provide a specimen, or providing an altered specimen, or refusal to follow the recommended option of treatment will be considered insubordinate and will be subject to discipline up to and including termination. An employee who refutes the results of a confirmed drug test does have the option of having an additional

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confirmation test done of the remaining sample at his/her own expense by a national certified laboratory.

G. Procedures to Be Followed for Employees Involved in Vehicular or Equipment Collisions/Accidents during Work:

1. Any City employee involved in a vehicular accident involving a City vehicle or an accident while operating City equipment will be required to be tested for alcohol and other drugs. If an accident involves an injury or another vehicle, a police report must be obtained. Supervisors shall get a police report and in turn report the incident to the toll-free number listed in the Automobile Claim File (see Vehicle Operator's Policy RM-001).
2. Once the Department Head or the supervisory designee is notified of the incident, the Loss Control Coordinator must be contacted.
3. The supervisor will escort the employee to the authorized lab. The employee will be asked to sign a consent form to be tested. If the employee was injured in the incident and still hospitalized, the lab will send a technician to the hospital to collect a urine or blood sample for testing (see Section F.11. for consequences of refusing a test).
4. If the employee tests positive on his/her confirmed drug test, he/she will be terminated from employment and not offered a "Last Chance" for treatment under the EAP.

H. Procedures for On-the-Job Post-Injury Testing:

1. Any employee injured on-the-job that results in an employee seeking medical treatment will be required to be tested for alcohol and other drugs by the treating medical facility.
2. The Department Head or supervisory designee shall contact the Risk Management representative regarding the injury.
3. If the employee tests positive on a confirmed drug test, the employee will be terminated and not offered a Last Chance for treatment under the EAP.

I. Random Testing for Employees with Commercial Drivers Licenses under DOT Regulations:

1. The City of Savannah tests at least 50% of its CDL drivers for illegal use of substances (urine screens) and 10% for alcohol (breath tests) each year. This rate is consistent with recommendations by the DOT but may vary depending on the rate of the positive tests that are reported.

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2. Loss Control under Risk Management is responsible for the oversight and process of random alcohol and other drug testing. The Department Head is responsible for insuring all random testing is handled according to all CDL requirements.
3. Should an employee have a non-negative alcohol or any other drug screen, the procedures as stated in Section C.9 shall apply. The driver shall not have driving privileges reinstated until finishing the program that is recommended by the EAP Coordinator and approved by the Risk Management Administrator.

J. Random Testing for Employees in Positions Defined by the City Manager to be "Safety Sensitive" or "Critical Workforce":

The City Manager, or his/her designee, shall identify all positions considered safety sensitive or critical workforce. Safety sensitive positions are those which the job performance directly impacts the safety of themselves and others and there is an immediate and direct threat to health and safety. Critical workforce positions are which are expected to work immediately before, during, and after a hurricane or other emergency situation or event. An employee in a safety sensitive position or critical workforce position may be terminated if found to be under the influence of a controlled substance or alcohol, and could potentially harm himself/herself, other employees, or the general public due to the inability to safely and effectively perform his/her job duties.

1. Each year the City Manager or his/her designee will designate a percentage of safety sensitive and/or critical workforce employees to be randomly tested. This percentage may be as low as 10% or as high as 50%.
2. The protocol used under Section I. for CDL random testing will be used for safety sensitive/critical workforce testing. Employees already designated as CDL cannot also be classified as safety sensitive/critical workforce and thereby be subject to further testing.

K. Random Testing for Employees Mandatorily Referred to Alcohol or Other Drug Treatment:

1. Employees mandatorily referred to the EAP Coordinator due to a positive alcohol or other drug test or other violation of this policy and subsequently referred to alcohol/drug treatment will be required to sign a two-year Continuing Care Contract. While under the two-year contract, employees may be subject to random testing by their treatment provider or the City. The results of the testing are reported to the EAP Coordinator. Under the two-year contract, CDL drivers are subject to random testing at least six times annually and at least twice annually for non-CDLs. These same employees may also be tested as part

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of the testing conducted by the City of Savannah as described in the previous sections of this policy.

2. Refusal to sign this two-year continuing care contract, another positive drug test, or an unwillingness to follow the provisions of the two-year contract may be grounds for immediate termination by the Department Head.

L. Employees Who Self-Refer to the EAP Coordinator for Alcohol and Other Drug Problems:

1. Any employee may seek assistance with alcohol/drug problems through the EAP Coordinator confidentially without fear of disciplinary action.
2. The EAP Coordinator will refer the employee to the appropriate level of care/intervention through the employee's health benefits and other community resources, including confidential testing for controlled substances.
3. If the employee is unable to work due to being medically unstable or because of a positive drug screen obtained through the medical provider/laboratory, the employee cannot return to work until there is a negative test and the employee is determined by a physician to be able to return to work.
4. Employees may be placed on Family and Medical Leave (FMLA) status if their condition meets the criteria for FMLA.
5. Coordination of the employee's treatment/leave will be made between the employee's medical provider, the EAP Coordinator, and the Employee Health and Wellness Coordinator. All medical information, including reasons for absences, is kept confidential.

M. Confidentiality:

The confidentiality of any information received by the employer through a substance abuse testing program shall be maintained, except as otherwise provided by the law. Breaches of confidentiality may result in disciplinary action including dismissal.

N. Training:

The City supports the Drug Free Workplace by providing on-going training and education. All employees and supervisors will receive two hours of training annually concerning the Alcohol and Chemical Use Policy and the dangers of alcohol and substance abuse. This education may be in the form of reading material distributed by the EAP Coordinator or in face-to-face training. New employees will be oriented

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to the Alcohol and Chemical Use policy during their orientation training. The policy will be made available to all employees on CINC and in the Employee Handbook.

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Item # 5

ATTACHMENT A**REASONABLE SUSPICION OBSERVATION FORM FOR SUPERVISORS
(STRICTLY CONFIDENTIAL)**

EMPLOYEE NAME: _____ DATE/TIME OF INCIDENT: _____

SUPERVISOR #1 NAME: _____ SUPERVISOR #2 NAME: _____

This form is to be completed when an incident has occurred which provides reasonable suspicion that an employee is under the influence of drugs or alcohol. Note all the pertinent behavior and physical signs that lead you to reasonably believe the employee is affected by substance use. City policy requires you to use this form for all "for cause" testing. Call the City EAP Coordinator when scheduling any drug test and send this form confidentially to the EAP Coordinator within 24 hours of the actual test.

1. **WHAT IS THE NATURE OF THE INCIDENT OF CAUSE OF SUSPICION?**
Give short summary of what observation or incidents have led you to suspect employee needs testing.

2. **WHAT ARE THE BEHAVIORS OR PHYSICAL SYMPTOMS OF THE EMPLOYEE?** Give specifics of those things you notice about the employee that further support need for test.

3. **PROVIDE A SHORT SUMMARY OF THE FACTS AND CIRCUMSTANCES OF THE INCIDENT, EMPLOYEE RESPONSE, SUPERVISOR ACTION, AND OTHER PERTINENT DATA NOT PREVIOUSLY NOTED.** Use back of this form if needed.

Signature #1 Supervisor

Date/Time

Signature #2 Supervisor

Date/Time

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ATTACHMENT B**DRUG TESTING FACILITY**

The City of Savannah uses Substance Abuse Testing of Savannah, located at 1481 Dean Forest Road; Building #200, Suite C; Savannah, Georgia 31405. The City utilizes Substance Abuse Testing of Savannah "for cause," post accident (non-injury), and random screenings. The facility is located in the Harbor Forest Professional Center on the right side of Dean Forest Road (if you are heading west), immediately past the traffic light at Southbridge Blvd./Food Lion. Once you turn into the Harbor Forest Professional Center, follow the parking lot to the rear. Building 200 will be directly in front of you. Their hours of operation are 8:30 A.M. to 5 P.M. Monday through Friday. Special arrangements will be made to open earlier on mornings when random testing needs to be completed for employees with CDL's.

For after hours, the laboratory must be called by pager to have a technician meet the supervisor and the employee at the facility to do the drug screen.

Substance Abuse Testing of Savannah

Telephone #'s for Substance Abuse Testing of Savannah

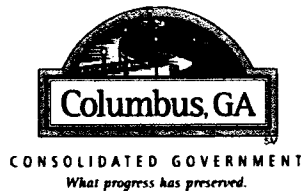
964-1531 Normal Daytime Number

495-6850 24 Hour Page Number

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Item # 5

COLUMBUS-MUSCOGEE COUNTY



POLICY AND PROCEDURE

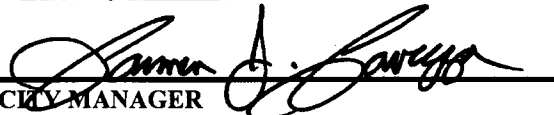
POLICY NUMBER: 220-506

POLICY TITLE: Alcohol and Drug Free Workplace Policy

EFFECTIVE DATE: January 16, 1990

REVISION DATE: 6/22/93, 11/1/01 09/22/09

APPROVED BY:


CITY MANAGER

Confirmed by Council of The Columbus Consolidated Government, Ordinance No. 01-101 dated the 25th day of October, 2001.

I. STATEMENT OF POLICY:

The Columbus Consolidated Government is committed to providing a safe working environment and to fostering the well being and health of its employees. That commitment is jeopardized when any Columbus Consolidated Government employee illegally uses drugs on or off the job, comes to work under the influence, possesses, distributes or sells drugs in the work place, or abuses alcohol on the job. Therefore, the Columbus Consolidated Government has established the following policy:

- (1) Employees are prohibited from engaging in the unlawful manufacture, distribution, sale, dispensation, possession or use of illegal drugs. The Columbus Consolidated Government prohibits its employees from engaging in such illegal activities during working and non-working hours at all times and at all places.
- (2) Employees are prohibited from use, dispensation, possession, or sale of alcohol on City premises or while operating City vehicles.
- (3) Employees will report to work alcohol and drug free.
- (4) It is a violation of City policy for anyone to use prescription drugs illegally. The appropriate use of legally prescribed drugs and non-prescription medications is not prohibited. However, the use of any substance which carries a warning label that indicates that mental functioning, motor skills, or judgment may be adversely affected must be reported to supervisory personnel. Employees must remove themselves from service if they are experiencing any adverse effects from medication. Legally prescribed drugs must include documentation of the patient's name, the substance name, the quantity to be taken and the period of authorization.
- (5) Each employee is required to inform his/her Department Director immediately upon return to work if he/she is arrested or convicted for violation of any criminal drug or alcohol statutes of any jurisdiction, regardless of whether the alleged violation occurred at the workplace or elsewhere. The employee must notify his/her Department Director and the Human Resources Director in writing of each arrest or conviction. A conviction means a finding of guilt, including a plea of nolo-contendere, or the imposition of sentence by a judge or jury in any federal or state court. Any employee who has been arrested for a drug violation will be suspended pending resolution of charges. See Disciplinary Action Policy # 220-502 for disciplinary guidelines. This is subject to appeal via Fair Treatment Policy. This

determination will be made after completion of department investigation and coordination with Human Resources Director. Any conviction of said charges will result in termination.

- (6) As a condition of employment, employees must abide by the terms of this policy. Violations of this policy are subject to disciplinary actions up to and including termination.

The goal of this policy is to balance our respect for individuals with the need to maintain a safe, productive and drug-free environment. The intent of this policy is to offer a helping hand to those who need it, while sending a clear message that the illegal use of drugs and the abuse of alcohol are incompatible with employment at Columbus Consolidated Government.

The United States congress enacted into law, The Drug Free Work Place Act of 1988. The purpose of this law is to ensure that work done under a federal contract or a federal grant is done in a drug-free environment.

II. EMPLOYMENT SCREENING

The following provisions apply to applicants considered for employment with Columbus Consolidated Government:

- (1) Applicants considered for employment or rehire will be screened for drugs and/or alcohol as a routine part of the employment physical for specified job classes. Employees who are being reinstated after a successful Fair Treatment appeal or are rehired must also pass a drug and alcohol test prior to return to work if more than 30 days have elapsed.
- (2) Applicants will be requested to sign a consent release form authorizing the designated lab to perform the drug and/or alcohol screening test and submit the results to the Human Resources Department.
- (3) Applicants who refuse to sign the consent release form or who show traces of illegal drugs or abuse of prescription drugs or alcohol will not be considered for employment for a period of one (1) year. Applicants who subsequently reapply for employment after the one (1) year period will again be requested to sign a consent release form and be required to pass a drug and/or alcohol screening test that shows no signs of illegal drugs, abuse of prescribed drugs or alcohol.
- (4) Applicants that are positive will be shown as unfit for duty. No results shall be released to the Department Director or any other official as to the results of the drug test. Only the Human Resources Department will communicate positive results from the screening tests to the applicant.

III. BASIS FOR TESTING FOR DRUGS OR ALCOHOL

REASONABLE SUSPICION

- (1) Drug and alcohol testing will be required for employees for which reasonable suspicion exists to believe that such employees are under the influence of drugs or alcohol during his/her assigned working hours or while otherwise on City property.

The following circumstances could cause reasonable suspicion:

- (A) Observed drug or alcohol use
- (B) Apparent odor of alcohol on breath
- (C) Apparent physical state of impairment
- (D) Incoherent mental state
- (E) Marked changes in personal behavior that are otherwise unexplainable

- (F) Deteriorating work performance that is not attributable to other factors
- (G) Accidents or other actions that provide reasonable cause to believe the employee may be under the influence of drugs and/or alcohol.

- (2) The initial determination of whether or not reasonable suspicion exists shall be made by the Department Director or by the highest-ranking supervisory staff person on duty at the time. (The Department Director or supervisory staff person shall consult with the Human Resources Director, his/her designee or in his/her absence, a designated physician.) (Please see "Attachment A" for contact persons name and telephone numbers)
- (3) Following the determination that reasonable suspicion exists, the employee shall be transported to the collection site by the employee's supervisor or the supervisor's designee. Following the collection procedure, the person transporting the employee(s) shall make appropriate arrangements to transport the employee home contingent upon results.
- (4) Employees are required to comply with reasonable suspicion testing. If an employee refuses to be tested he/she will be suspended for five (5) days without pay pending termination. A refusal will be treated the same as a positive result.

RANDOM TESTING

A random testing "pool" has been established and is comprised of all sworn personnel within the Public Safety departments, all 911 employees, all employees whose job requires a Commercial Drivers Licenses (CDL) and other safety sensitive positions.

***Safety Sensitive Positions:** are those positions in which (1) employees are assigned a City vehicle and/or required to drive a City vehicle to perform their job duties. City vehicles include all motorized vehicles; by example, cars, heavy duty and small trucks, dump trucks, fork-lift, Zamboni, tractors, golf carts, riding lawn mowers and other special operating vehicles; or (2) employees who use, operate and/or perform maintenance, installation, and/or repair of City property, vehicles, and/or equipment, including but not limited to electrical work, carpentry work, welding, using power tools and equipment, set up and/or assembly of stage equipment or bleachers or performing other similar jobs where a collapse or malfunction could cause serious injuries to themselves, other employees, the public and/or significant loss or destruction of property or resources.

- (1) Random drug and/or alcohol testing will be conducted without prior notice to the employees selected.
- (2) The list of employees to be randomly tested will be generated by computer software, which utilizes pure random number generation.
- (3) The day(s) for testing will be kept confidential until the test day. The date will be conveyed to the department director, who will arrange for randomly selected employees to be tested.
- (4) Employees will not take any personal item into the testing area. All pockets will be empty except for one item of picture identification.
- (5) An employee selected for random drug / alcohol testing will be notified on the day of the test and given a specific time to report for testing. Failure to report at the designated time or to cooperate fully with the medical and administrative personnel will result in being suspended five (5) days without pay pending termination.

- (6) Employees will remain at the testing site until an adequate, appropriate specimen is given.
- (7) Leaving the testing site, altering specimens or any other behavior, which is used to alter the drug test, will result in five (5) days suspension without pay pending termination.
- (8) Employees are required to comply with random testing. If an employee refuses to be randomly tested he/she will be suspended for five (5) days without pay pending termination. A refusal will be treated the same as a positive result.

SPECIFIC RANDOM TESTING - COMMERCIAL DRIVERS LICENSE

- (1) Federal and State of Georgia Department of Transportation regulations require random and post accident testing of all employees who possess Commercial Drivers Licenses (CDL).
- (2) A random testing "pool" has been established and is comprised of current CDL drivers. The pool will be updated continually by placing new CDL drivers in and removing former employees. The pool and random testing will provide a list of employees to be randomly tested at least once per calendar year. The list of employees to be randomly tested will be generated by computer software, which utilizes pure random number generation.
- (3) Procedures for testing will be handled as described under **"Random Testing"** 1 thru 7. (See above)
- (4) For DOT (CDL holders) drug testing standards, please see "Attachment B-1."
- (5) An alcohol concentration of 0.04 or greater will be considered a positive alcohol test and in violation of this policy and a violation of the requirements set forth in 49 CFR Part 654 for safety-sensitive employees.
- (6) If the initial test indicates an alcohol concentration of 0.02 or greater, a second test will be performed immediately thereafter to confirm the results of the initial test. An employee who has confirmed alcohol concentration of greater than 0.02 but less than 0.04 will be removed from his/her position for eight hours unless a retest results in a concentration measure of less than 0.02 (see table D-1 for appropriate disciplinary action)

POST INJURY AND POST ACCIDENT TESTING

- (1) Employees who have engaged in unsafe work practices and who have caused and/or contributed to the occurrence of an on-the-job injury to himself/herself or another individual will automatically be tested for substance abuse.
- (2) When an employee is involved in a chargeable accident and/or liability has yet to be determined, the employee will automatically be tested for substance abuse. Immediately following an accident, the supervisor or designee will transport employee from scene of accident to testing facilities.
- (3) **Should the employee's behavior rise to the level of reasonable suspicion that would indicate the presence of alcohol or drugs:**
 - (A) The employee shall be relieved of duty and placed on administrative leave, pending the results of the drug and alcohol test. The supervisor shall make appropriate arrangements to transport the employee home.
 - (B) When reasonable suspicion exists, a supervisor shall remain with the employee at all times until he/she is transported to his/her residence.

- (C) It shall be the responsibility of the supervisor to determine if reasonable suspicion exists and to document the events.
- (D) Anyone failing to comply with post injury and/or post accident procedures will be subjected to the same sanctions as if the test had been positive.

See “Attachment C” for drug and alcohol testing facilities, times and locations.

IV. TESTING PROCEDURES

- (1) Employees who are requested to submit to a drug or alcohol test(s) will be asked to sign a consent release form authorizing the laboratory, physician, or certified intoximeter operator to perform the test and release the results to Human Resources’ designee. An employee will fill out a form listing any and all drugs they have been prescribed and any other over the counter drugs they are taking. Human Resources will hold all results of these tests in the strictest confidence.
- (2) For Non DOT (Non CDL) drug testing standards, please see “Attachment B-2.”
- (3) All samples of body fluids provided in compliance with this policy shall be used only to test for the presence of drugs or alcohol.
- (4) Employees who refuse to sign a consent release form, refuse to be tested, fail to cooperate with test center personnel or who are identified, as having prohibited substances in their system will be suspended for 5 days without pay pending termination.
- (5) Employees have the right to challenge any positive drug result for legally prescribed drugs by having their case reviewed by the Medical Review Officer. Any expenses incurred for this review will be paid by the employees.
- (6) For positive drug tests employees are given the option of “split sampling” of urine specimens. The incremental cost of this sampling will be at the employee’s expense. If results are negative, employee will be reimbursed for expenses. All positive results from a drug test will be confirmed using the GC/MS test. (GC/MS stands for Gas Chromatography / Mass Spectrometry) (See “Attachment B-1 & B-2”)
- (7) Any positive alcohol test may be challenged by the employee by submitting to a second Breath Alcohol Test (BAT) within 15 minutes of the initial positive breath test; or by submitting to a Blood Alcohol Test within 60 minutes of the positive breath test. This will be at the employee’s expense. If results are negative, employee will be reimbursed for expenses.

TABLE D-1
BREATH/BLOOD ALCOHOL TEST RESULTS AND REQUIRED ACTIONS

CDL Employees	
Level of Alcohol Concentration	Action Required
Less than 0.02	Results are considered negative
0.02 to 0.039	Employee removed from his/her position for 8 hours and subject to appropriate disciplinary action up to and including termination (scheduled work hours missed will be without pay)
0.04 or above	Five (5) day suspension without pay pending termination
Employees subject to DOT/FTA regulations may be held to higher standards	
Non-CDL Employees	
Level of Alcohol Concentration	Action Required
Less than 0.02	Results are considered negative
0.02 to 0.079	Employee removed from his/her position for 8 hours and subject to appropriate disciplinary action up to and including termination (scheduled work hours missed will be without pay)
0.08 or above	Five (5) day suspension without pay pending termination

TABLE D-2
DILUTE/ADULTERATED DRUG TEST RESULTS AND REQUIRED ACTIONS

Test Result	Action Required
Positive Dilute	A Positive Dilute test result will be considered a positive test
Negative Dilute and Adulteration Test Results	
METRA Personnel	METRA personnel that are subject to FTA and/or DOT requirements will be tested according to the current requirements issued by those agencies. In cases where the CCG requirements exceed those required by the agencies, the employee will also be subject to the CCG requirements.
Negative Dilute - Employees	CCG employees that test Negative Dilute will be directed to retest without notice. The retest will be by hair when a sufficient sample is available, otherwise by urine.
Negative Dilute - Applicants	CCG applicants that test Negative Dilute will be referred to the Human Resources Director for special handling. The HR Director will arrange retesting by hair or urine in a manner that provides the minimum possible advance notice and that he/she determines is most likely to prevent actions by the applicant to influence the testing outcome.
Adulteration Test Results	CCG employees and applicants with test results indicating adulteration will be referred to the Human Resources Director for special handling. In consultation with the Medical Review Officer if the HR Director determines that the employee or applicant has tampered with the specimen or caused the adulteration, the test result will be considered a positive test. If it is determined that the employee or applicant did not cause the adulteration, retesting by hair or urine will occur.
In all cases a retest will be treated as the test of record. If a Negative Dilute retest is also Negative Dilute the results will be accepted as a negative result.	

V. DISCIPLINARY ACTIONS

In the following cases employees will be suspended for five (5) days without pay and are subject to termination:

- (1) Selling drugs on or off the job.
- (2) A positive drug or alcohol (see table D-1) test.
- (3) A positive drug or alcohol test while on probation under the Columbus Consolidated Government Drug Testing Policy.
- (4) 2nd DUI offense within a 5-year period (nolo plea, guilty plea or conviction) *(including periods during & prior to employment) (Employees are required to present a copy of their current Motor Vehicle Report when reporting a DUI offense).*
- (5) DUI while operating a City vehicle.
- (6) Misdemeanor violations (nolo plea, guilty plea or conviction) involving use or possession of dangerous drugs or marijuana.
- (7) Felony violations of drug laws (nolo plea, guilty plea or conviction).

While dismissal from employment will occur in most cases, the following factors must be considered prior to taking any personnel action. Strong, mitigating circumstances may provide an opportunity for disciplinary action other than dismissal. The following guidelines shall apply:

- (A) Public Safety Personnel will be held to a higher standard.
- (B) Position within the Department (Supervisory personnel will be held to a higher standard).
- (C) Gravity of liability and workers' compensation exposure to Columbus Consolidated Government.
- (D) Prior violations of drug or alcohol laws.
- (E) Prior violations of the Columbus Consolidated Government Drug Policy.
- (F) Any other occurrences where the circumstances indicate termination may be required.

Exceptions to termination must be approved by the City Manager and will result in appropriate disciplinary action, which will include:

- (A) Mandatory referral to EAP, full compliance with EAP recommendations.
- (B) One (1) year probation.
- (C) Random testing monthly for up to two (2) years as directed by Human Resources.

Employees terminated under this policy may apply for re-employment after one year if otherwise qualified.

VI. CONFIDENTIALITY

All incidents and actions involving the Alcohol and Drug Free Workplace Policy will be handled with utmost confidentiality. All City personnel involved are expected to maintain the same level of confidentiality.

VII. MANAGER AND SUPERVISOR GUIDELINES

Under no circumstances should any action relating to the alcohol and drug policy be made public unless authorized by the City Manager's Office with concurrence of the City Attorney. It must be realized by all involved that making statements of any kind in reference to the drug or alcohol tests, the employee, or any other circumstances surrounding the testing, or its result is limited by federal law. This is a sensitive issue and must be kept confidential. The improper release of information by unauthorized sources may be grounds for disciplinary action. Any request for information related to drug testing should be directed to the Human Resources Department.

These guidelines are for use by managers and supervisors at all levels and in all departments. They are intended to provide assistance in the administration of the Alcohol and Drug Free Workplace Policy.

- (1) The Columbus Consolidated Government encourages any employee who has a drug or alcohol problem to obtain assistance. Therefore, if such an employee has not been required to submit to a drug or alcohol test or who has tested negative but, who, in good faith, requests assistance for his/her problem, the employee shall be referred immediately to the employee assistance program. This voluntary admission shall not be used against the employee; however, it may result in temporary job reassignment.
- (2) Each supervisor is responsible for taking appropriate action whenever an employee's demonstrated judgment or performance seems to be impaired by the possible use of alcohol or drugs. Supervisors who suspect that an employee is unfit for duty should:
 - (A) Arrange if practical, for at least one other supervisor to observe and evaluate the employee's behavior. The employee's supervisor should ask the employee to explain why he/she appears unable to perform the job duties. Supervisors should document all behavior, questions, responses, admissions, and witnesses.
 - (B) Should the employee fail to explain the impaired condition to the supervisor's satisfaction and it is still the supervisor's determination that drugs or alcohol may be involved, the supervisor may, upon consultation with designated senior staff/management (see Reasonable Suspicion) accompany the employee or make necessary arrangements for the employee to be taken by another supervisor to the designated lab, physician, or certified intoximeter operator for testing.
 - (C) If the employee refuses to go, the employee should be warned that he/she will be subject to disciplinary actions up to and including termination. Depending upon the employee's condition, the employee should be taken home and told when to report back to work. The supervisor shall then make a complete report of the incident to their Department Director.
- (3) Supervisors will document in writing all incidents, investigations, and actions regarding suspected drug or alcohol abuse. If disciplinary action occurs, a full report by the Department Director should be sent to the Human Resources Director and the Affirmative Action Administrator.
- (4) When a supervisor observes the manufacture, use, sale, dispensation, or possession of illegal drugs or alcoholic beverages by employees on the job, the supervisor should take the following steps:
 - (A) Inform Department Director and call the police. If incident occurs in the Government Center, call Sheriff's Department.
 - (B) Separate all parties involved and take them to a location where they can be questioned by the police individually about the incident, in the presence of another supervisor. (Do not attempt to forcefully restrain or retain any employee or citizen)
 - (C) Report the incident to the immediate supervisor.
 - (D) Upon completing the pending investigation, take the employee home, if necessary.
 - (E) Following any incident that might fall under these guidelines, it is essential that the immediate supervisor make a detailed record of all actions, observations, statements, and other pertinent facts to include date, time, location, and witnesses to the incident. The supervisor should not record his/her opinion or conclusion (i.e. the employee appeared to be on drugs) but rather the supervisor should simply state his/her observations (i.e. the employee was hyperactive, argumentative, loud, obnoxious, sweating profusely, pupils were constricted, etc.). This report shall be forwarded to the Department Director and Human Resources Director.

- (5) If an employee is suspected of violating the City's Alcohol and Drug Free Workplace Policy, the supervisor shall document all available information regarding the incident and shall forward it to the Department Director and the Human Resources Director. Documentation shall include, but is not limited to:
- (A) Suspected employee's full name
 - (B) Time(s) of observed drug or alcohol usage
 - (C) Frequency of use, if appropriate (i.e., occasionally, in the parking lot after work)
 - (D) Specific locations of use, such as in a specific building or vehicle
 - (E) Other participants or witnesses
 - (F) Any unusual behavior that would indicate that the observed individual was intoxicated or under the influence of a controlled substance.
- (6) The Police Department, Emergency Medical Service, Fire Department, Muscogee County Prison, Sheriff's Department, Marshals Office, METRA and any person operating hazardous machinery or a vehicle in his/her official capacity shall be subject to additional rules and policies related to drug and alcohol testing, consistent with the general purposes of these rules. As specified by the various departments, such additional rules and policies may be more comprehensive due to the high levels of employee performance required, the public interest and visibility, and the responsibility for the protection of life and property.
- (7) Records of all drug/alcohol test analyses, observation records of supervisors, and any other administrative reports relating to drug and/or alcohol use or abuse by an individual employee shall be maintained in a separate locked file and available only to the Human Resources Director, his/her designee, or to persons who have an official "need to know" basis for requesting these documents. This information shall only be released on a need to know basis and is to be considered confidential.

VIII. EMPLOYEE ASSISTANCE PROGRAM (EAP) STATEMENT

- (1) The Columbus Consolidated Government encourages any employee who has a drug or alcohol problem to obtain assistance. Therefore, if such an employee has not been required to submit to a drug or alcohol test or who has tested negative but, who, in good faith, requests assistance for his/her problem, the employee shall be referred immediately to the employee assistance program. After completion of substance abuse treatment program, employees who are returned to duty are subject to random follow-up testing for two years. The Human Resources Department in coordination with the Department Director will decide when testing occurs. This voluntary admission shall not be used against the employee; however, it may result in temporary job reassignment.
- (2) Confidentiality is assured - No information regarding the nature of the employee's personal problem will be made available to the supervisors nor will it be included in their permanent personnel file.
- (3) Self-Referral - Any employee may use available services by directly contacting the service. Self-referrals are both anonymous and completely confidential, and do not affect job security or promotional opportunities.
- (4) Supervisory or Management Referral - A supervisor may recommend an employee contact the EAP when there is a job performance or conduct problem which has not responded to ordinary supervisory techniques. Whether or not the employee decides to do so, it is the employee's responsibility to perform satisfactorily on the job; and if problems go unresolved and performance continues to deteriorate, disciplinary action may result. Participation in the EAP does not guarantee that these actions will not continue to occur, but improved performance often results from problem resolution.
- (5) Mandatory Referral - After a decision to refer the employee to the EAP has been made, the employee will review the City's policies for a drug and alcohol free workplace, indicating that this is a "last chance" and

failure to consent to enrollment or successfully complete the program may result in disciplinary actions, up to and including termination. Due to legal considerations the Human Resources Director or the Affirmative Action Administrator must be consulted when considering mandatory referral. Employee must sign consent and release form.

This agreement is entered into by and between the Columbus Consolidated Government (hereinafter "the City") and _____ it's employee (hereinafter "Employee"), due to a positive test for prohibited drugs and/or alcohol and or the self-referral of the Employee.

The City agrees to not institute termination proceedings against the Employee, at this time, and agrees to the necessary paid sick leave and/or unpaid Family and Medical Leave, as available to attend the approved assistance/rehabilitation program. The employee's participation will be kept confidential and limited to a "need to know" basis, except where harm is being threatened to the employee or others. No referral of Employee's program(s) information will be made without a written release from the Employee.

The employee agrees to attend, participate and give full cooperation to the program and providers throughout the entire course of treatment, recovery and continuing care; to submit to scheduled or unscheduled drug and/or alcohol tests as may be required; to submit willingly to searches during work time of the Employee's person, locker, vehicle, packages, briefcase, lunch box, or other belongings; to sign a written consent form allowing designated City contacts to obtain information regarding the Employee's program attendance, progress and status as well as any medical or psychological evaluations; to allow contact with spouse or other family member(s) to work out the most appropriate program(s) or care; and, to give "good faith and best efforts" in any continuing job performance responsibilities during and after the completion of each phase of the approved program, until unconditional return to work.

THE FOLLOWING TERMS AND CONDITIONS APPLY:

- 1) Any failure to meet the above-agreed obligation will result in immediate termination, without recourse.
- 2) Any positive drug and/or alcohol test (unless cleared by prescription) will result in immediate termination without recourse.
- 3) Failure to complete the approved program(s) and entire course of treatment within the allotted time will result in immediate termination without recourse.
- 4) Health care benefits generally will apply, however, it is the Employee's responsibility to inquire, arrange for and make payments of personal portions of the cost of treatment - the City will do everything it can to arrange for a cost-effective and affordable program.
- 5) Entry into the program(s) constitutes reasonable suspicion for testing, the employee waives any rights to object to the imposition of drug and/or alcohol testing for a period of up to two (2) years after completion of the approved program(s) - Employee is subject to all the prevailing and then applicable rules and regulations of employment with the City.
- 6) The City will require, from time to time, direct discussion during work hours with the Employee on an as needed basis, Employee agrees to cooperate fully with the Supervisor and the Employee Assistance Program Coordinator.

SUPERVISOR REFERRAL: _____ DATE: _____

DEPARTMENT DIRECTOR: _____ DATE: _____

I have read and understand the above agreement, and I voluntarily agree to participate in the approved program(s) and fully realize that this last chance of any employment with the City depends on the proper completion of the program(s), my remaining drug and alcohol free, and properly performing my job duties. I understand that I will be terminated, without recourse, for violations of the above agreement and/or the terms and conditions of same.

EMPLOYEE SIGNATURE: _____ DATE: _____

“ATTACHMENT A”
(Contact Persons)

1. Tom Barron, Director of Human Resources

Random and Reasonable Suspicion

Work # (706) 225-3647 Direct line

Work # (706) 653-4059

Home # (706) 317-0030

Cell # (706) 329-6875

2. Reather Hollowell, Assistant Human Resources Director/Affirmative Action Administrator

Random and Reasonable Suspicion

Work # (706) 225-3631 Direct line

Work # (706) 653-4017

Home # (334) 448-0802

Cell # (706) 329-7035

3. Sherry Garcia, Risk Management

Post Accident and Critical Incident

Work # (706) 225-3104 Direct line

Work # (706) 653-4039

Home # (334) 480-0768

Cell # (706) 464-5686

4. Dr. Jack Sherrer
Occupational Medicine of Columbus

Designated Physician (MRO)***Post Accident, Random, Reasonable Suspicion and Critical Incident***

Work # (706) 221-1600

After hour pager # (706) 683-1634

“ATTACHMENT B-1”

(DOT (CDL) drug testing standards)

Drug**Initial Screen Cutoff****GC/MS Cutoff** Item #.5

Marijuana	50 ng/ml	15 ng/ml
Amphetamines	1000 ng/ml	500 ng/ml
Cocaine (Benzoylecgonine)	300 ng/ml	150 ng/ml
Opiates	2000 ng/ml	2000 ng/ml
Phencyclidine	25 ng/ml	25 ng/ml

“ATTACHMENT B-2”
(Non-DOT (Non-CDL) drug testing standards)

<u>Drug</u>	<u>Initial Screen Cutoff</u>	<u>GC/MS Cutoff</u>
Marijuana	50 ng/ml	15 ng/ml
Amphetamines	1000 ng/ml	500 ng/ml
Cocaine (Benzoylecgonine)	300 ng/ml	150 ng/ml
Opiates	2000 ng/ml	2000 ng/ml
Phencyclidine	25 ng/ml	25 ng/ml
Barbiturates	300 ng/ml	200 ng/ml
Benzodiazepines	300 ng/ml	200 ng/ml
Propoxyphene	300 ng/ml	200 ng/ml
Methadone	300 ng/ml	200 ng/ml
Methaqualone	300 ng/ml	200 ng/ml

“ATTACHMENT C”
(Drug Testing Facilities, times & locations)

OCCUPATIONAL MEDICINE OF COLUMBUS

7301 Northlake Drive, Columbus, Georgia 31909 (706) 221-1600

(RANDOM, POST ACCIDENT & REASONABLE SUSPICION)

Item # 5

MONDAY - FRIDAY
AFTER HOURS/WEEKEND

7:30 AM - 6:00 PM

OFFICE (706) 221-1600
PAGE (706) 683-1634

AFTER HOUR DRUG AND ALCOHOL TESTING PROCEDURES

Scheduling

1. Supervisor or Department Director will page the on-call nurse at **(706) 683-1634**.
2. A nurse will contact the person to establish the place and time of collection.
3. The place of collection can be either at 7301 Northlake Drive or Columbus Consolidated Government location (CCG).
4. A supervisor or Department Director from CCG must also be present during the collection process.

Drug Testing

1. Unless otherwise specified the drug test to be performed will be a Quick Screen 5 panel, which test for: Marijuana, Cocaine, Ecstasy, Amphetamines and Opiates. This is an instant test, which will provide results within 2 minutes.
2. All CDL licensed drivers will be given a Federal DOT drug test (NO QUICK SCREENS).
3. All tests that are non-negative or inconclusive will be sent to a certified laboratory for further testing.
4. Results from the laboratory will be reported within a 24-48 hour period.

Alcohol Testing

1. Unless otherwise specified the alcohol test to be performed will be a saliva alcohol test. This test is a Department of Transportation approved testing device. This is an instant test, which will provide a result within 2 minutes.
2. All tests that are positive will be confirmed utilizing a Breath Alcohol test.

Reporting

1. All drug test results will be reported to designated personnel in Human Resources, 706-653-4059, during normal business hours. After hour reporting see Attachment "A".
2. The reporting of negative drug and alcohol tests will be provided to the Supervisor and/or Department Director at the time of the test.
3. Post Accident and critical incident drug testing will be reported to Sherry Garcia in Risk Management, 706-653-4039.

ACE

7901 Veterans Parkway, Columbus, Georgia 31909 (706) 321-1223

(POST ACCIDENT & REASONABLE SUSPICION ONLY)

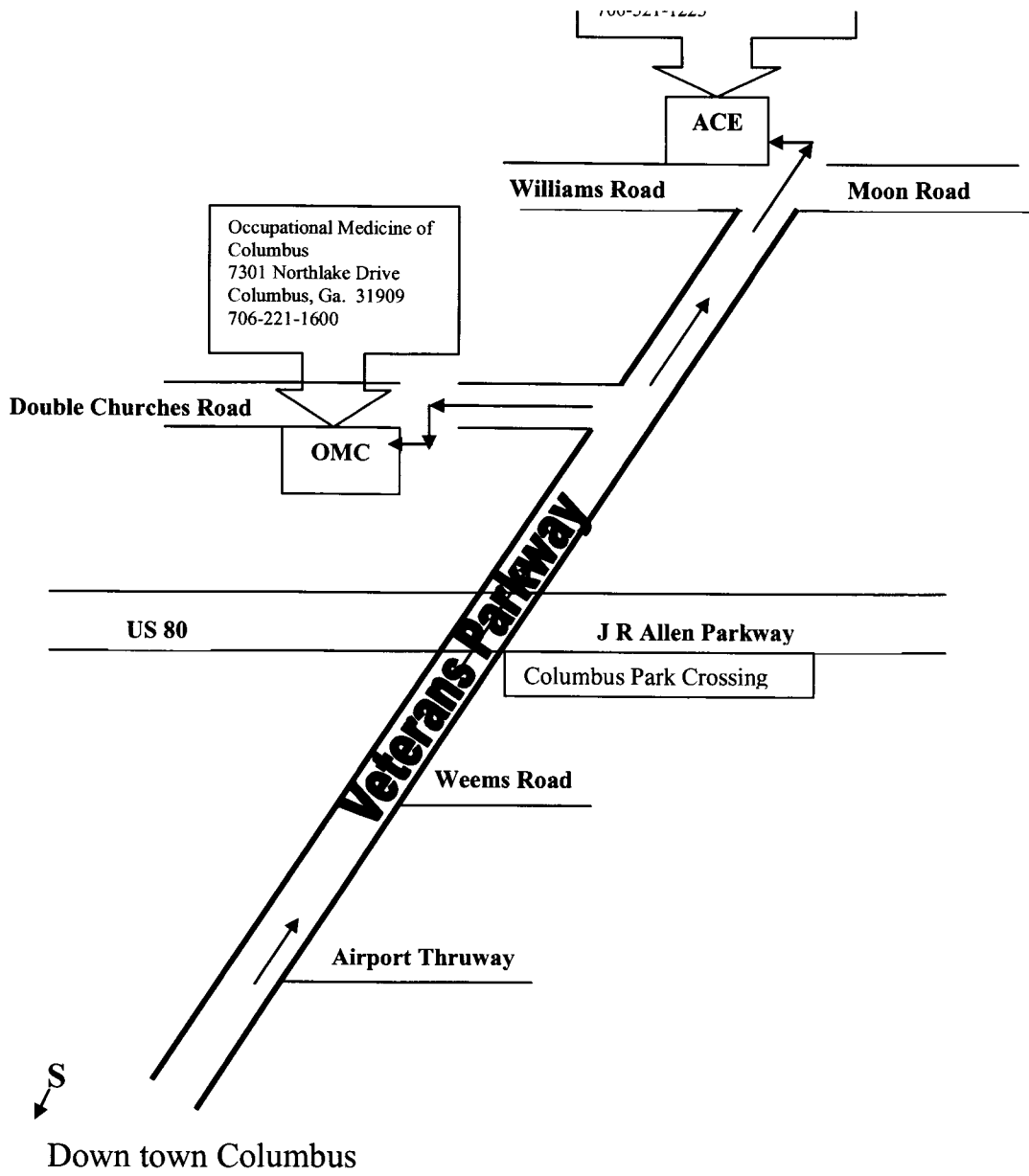
MONDAY - FRIDAY 8:00 AM - 8:00 PM

WEEKENDS & HOLIDAY 9:00 AM - 3:00 PM

ALL ACCIDENTS WITH INJURIES REQUIRING TRANSPORT TO A HOSPITAL, AT THAT TIME, WILL HAVE A POST ACCIDENT DRUG /ALCOHOL SCREEN AT THAT FACILITY.

Directions to Occupational Medicine and ACE from downtown Columbus





C
C
G

NAME (PLEASE PRINT)

DEPT

Item # 5

SOCIAL SECURITY NUMBER

**I CERTIFY THAT I HAVE ATTENDED THE EMPLOYEE ORIENTATION
COURSE GIVEN ON THE COLUMBUS CONSOLIDATED GOVERNMENT'S
ALCOHOL AND DRUG FREE WORKPLACE POLICY.**

**I ALSO CERTIFY THAT I HAVE RECEIVED A PERSONAL COPY OF THESE
POLICIES.**

SIGNATURE

DATE

WARNING!!!

**PLEASE CAREFULLY REMOVE THIS SHEET AND GIVE TO THE
PERSON CONDUCTING THE ORIENTATION. FAILURE TO DO SO
WILL RESULT IN YOUR HAVING TO ATTEND ANOTHER
ORIENTATION SESSION.**

ATHENS-CLARK COUNTY UNIFIED GOVERNMENT

AN ORDINANCE TO AMEND THE CODE OF ATHENS-CLARKE COUNTY, GEORGIA
WITH RESPECT TO **DRUG AND ALCOHOL TESTING**; AND FOR OTHER PURPOSES.

The Commission of Athens-Clarke County, Georgia hereby ordains as follows:

SECTION 1. Chapter 1-13 of the Code of Athens-Clarke County, Georgia, entitled
"DRUG AND ALCOHOL TESTING" is hereby deleted in its entirety and the following
substituted in lieu thereof:

CHAPTER 1-13. - DRUG AND ALCOHOL TESTING

- Sec. 1-13-1. Drug and alcohol use prohibited.
- Sec. 1-13-2. Employees subject to testing.
- Sec. 1-13-3. Pre-employment drug and alcohol testing.
- Sec. 1-13-4. Employees subject to random drug and alcohol testing.
- Sec. 1-13-5. Drug and/or alcohol screening test based on reasonable suspicion.
- Sec. 1-13-6. Testing after accidents or injury.
- Sec. 1-13-7. Prescription drug use.
- Sec. 1-13-8. List of medications.
- Sec. 1-13-9. Acknowledgement; notification.
- Sec. 1-13-10. Consent.
- Sec. 1-13-11. Refusal to consent.
- Sec. 1-13-12. Testing procedures.
- Sec. 1-13-13. Confidentiality of test results.
- Sec. 1-13-14. Disciplinary and termination policy.
- Sec. 1-13-15. Employee assessment.
- Sec. 1-13-16. Voluntary employee assistance program.
- Sec. 1-13-17. Drug and alcohol criminal charges and dispositions.

Sec. 1-13-1. - Drug and alcohol use prohibited.

Athens-Clarke County employees are a most valuable resource, and it is Athens-Clarke County's goal to provide a healthy, satisfying work environment which promotes personal opportunities for growth. Athens-Clarke County's policy is to: (1) assure that employees are not impaired in their ability to perform assigned duties in a safe, productive, and healthy manner; (2) create a workplace environment free from the adverse effects of drug abuse and alcohol misuse; (3) prohibit the unlawful manufacture, distribution, dispensing, possession or use of controlled substances; and (4) encourage employees to seek professional assistance any time personal problems, including alcohol or drug dependency, adversely affect their ability to perform their assigned duties.

Drug and alcohol use by Athens-Clarke County employees during assigned working hours, in government buildings or on government grounds, or otherwise while on government business, is prohibited. This shall include the use of illegal substances, the abuse of prescription medications and the use of alcohol.

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Sec. 1-13-2. - Employees subject to testing.

For the purposes of this chapter, employees shall be divided into the following categories:

Category I. Safety-Sensitive Employees. The following employees are considered to be in safety-sensitive positions:

1. Mechanics, commercial driver's license holders, and other operators of assigned motorized equipment needed to perform daily job duties.
2. Employees who transport children.
3. Lifeguards, pool managers, assistant pool managers, and lakefront safety supervisors.
4. Ben Epps Airport: All employees whose job duties include any responsibility for maintenance or operation of aircraft, maintenance or operation of flight or ground control communications, handling fuel, or maintenance or operation of fire safety equipment.
5. Water and wastewater treatment: Athens-Clarke County Water Treatment Plant and Water Reclamation Plant personnel who are responsible for the operation and maintenance of water filtration or pollution control equipment.
6. Public Safety:
 - a. Athens-Clarke County Police Department: All sworn personnel, communications officers, and school crossing guards;
 - b. Athens-Clarke County Fire Department: All certified employees;
 - c. Clarke County Sheriff's Office: All sworn personnel;
 - d. Athens-Clarke County Probation Office: All sworn personnel;
 - e. Athens-Clarke County Department of Corrections: All sworn personnel and all personnel having direct contact with inmates or Diversion Center residents;

Category II. For the purposes of this chapter, Category II employees are all employees of Athens-Clarke County to include those in Category I, above. Employees in Category II shall be subject to alcohol and drug testing due to reasonable suspicion and after accidents and/or work related injury requiring medical treatment. Employees in Category II shall be subject to all provisions of this chapter.

Category III. Athens Transit System Employees. For purposes of this chapter, Category III employees are all employees of the Athens Transit System subject to the Athens-Clarke County Transit System Substance Abuse Policy as adopted by resolution of the Commission.

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Sec. 1-13-3. - Pre-employment drug and alcohol testing.

- A. All job applicants being considered for employment in Category I and Category III positions shall be required to pass a drug and alcohol screening test as the final step prior to being hired. All job applicants shall be informed in advance that said testing shall be required.
- B. For purposes of administering drug and alcohol testing for Category I and Category III positions, pre-employment testing may be required not only for new hires but also for the employment actions of promotion, demotion, and re-employment to a safety sensitive position, unless the requirement is waived by the Human Resources Director because the employee has passed a drug and alcohol test within the last 30 days.

Sec. 1-13-4. - Employees subject to random drug and alcohol testing.

- A. Only those employees set forth in section 1-13-2, Category I and Category III, shall be subject to random testing for drugs and alcohol. A statistically valid computer-based random selection method will be used to select employees for random drug and alcohol testing, thus allowing each employee in a Category I and Category III position to have an equal chance of being tested.
- B. Random testing shall be done just before, during, or just after scheduled duty hours. The testing dates and times shall be with unpredictable frequency throughout the year. Category I and Category III employees hired during the year shall be added to the selection pool during the month following their hire. Some Category I and Category III employees may be tested more than once a year; some may not be tested at all depending upon the random selection. All Category I and Category III employees remain in the random selection pool at all times, regardless of whether they have been previously selected randomly for testing. Employees are to receive no prior notification of the random testing. Employees shall report to the designated testing facility for testing within two (2) hours of receipt of the notification form from their supervisor.

Sec. 1-13-5. - Drug and/or alcohol screening test based on reasonable suspicion.

- A. *Reasonable suspicion.* Reasonable suspicion testing shall be conducted when there are reasonable and specific grounds to believe that an employee's poor performance or unsafe acts are due to drug or alcohol use by the employee. Specific observations shall be made of appearance, speech, behavior, and/or body odor.

Situations that may give rise to a conclusion that an employee is under the influence of drugs and or alcohol include, but are not limited to, the following:

- 1. An employee is involved in a physical or verbal altercation on the job.

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2. An employee has an accident on the job, or he or she does not exercise reasonable care which causes potential for, or actual damage to a person or property.
 3. An employee exhibits unusual behavior such as slurred speech or unsteady walking or movement on the job.
 4. An employee has an odor of alcohol on his or her person on the job.
 5. An employee is in possession of alcohol or drugs on the job that indicate recent use.
- B. An employee shall be required to submit to alcohol and/or drug testing when there is reasonable suspicion he or she is under the influence of alcohol and/or drugs during assigned working hours or while otherwise on government duty or in control of government property. If testing cannot be done within a two-hour window, the supervisor must document the reason.
- C. Supervisors who suspect that an employee is under the influence of drugs and/or alcohol shall immediately report the incident to their division manager and department director.
- D. The determination of whether reasonable suspicion exists shall be made by the department director or by the highest ranking supervisory staff on duty at the time. The facts underlying the determination of reasonable suspicion shall be disclosed to the employee at the time the demand to submit to testing is made, and written confirmation of behaviors shall be provided to the employee.
- E. Following the determination that reasonable suspicion exists, the employee shall immediately be transported to and from the testing site by the employee's supervisor or a designee. If an employee is found to be in violation of these regulations, then following the testing procedure, the person transporting the employee shall make appropriate arrangements to transport the employee home.
- F. Supervisors shall be required to document in writing, within the next 24 hours, the specific facts, symptoms or observations that formed the basis for their determination that reasonable suspicion existed to warrant the testing of an employee. All documents created in connection with the determination of reasonable suspicion shall be forwarded to the ACCUG Safety and Risk Manager.
- G. Athens-Clarke County shall conduct a training program to assist supervisory personnel in identifying drug and alcohol use by employees. Such training shall be directed toward helping supervisors to recognize the conduct and behavior giving rise to a reasonable suspicion of drug or alcohol use.

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Sec. 1-13-6. - Testing after accidents or injury.

Whenever any employee of Athens-Clarke County has been involved in a work-related accident, or receives a work-related injury, alcohol and drug testing shall be conducted within two (2) hours of the accident or incident when:

- A. There is vehicle/equipment damage or bodily injury; or
- B. There is a fatality; or
- C. Driver is cited with a traffic violation; or
- D. There is reasonable suspicion to believe that the employee's behavior or appearance may indicate alcohol or drug use; or
- E. When an employee sustains a work-related injury requiring medical treatment; or
- F. If an employee, within the scope of his or her employment, is engaged in the use of force and causes serious bodily injury or death to another person.

Sec. 1-13-7. - Prescription drug use.

- A. While on the job, employees shall adhere strictly to the medical directions as listed on their prescription medication. It is the employee's responsibility to notify the prescribing physician of the duties required by the employee's position and to ensure that the physician approves the use of the prescription medication(s) while the employee is performing his or her duties. The employee shall be responsible for notifying his or her supervisor of any restrictions that may affect or prevent the safe performance of the required duties.
- B. An employee who tests positive for a prescription medication that was not prescribed to him or her shall be suspended for three (3) days with pay pending termination.
- C. The abuse of legally prescribed drugs is prohibited. Any employee whose job performance or attendance deficiencies result from such abuse shall be suspended for three (3) days with pay pending termination. If an employee's behavior and/or job performance gives rise to a reasonable suspicion as determined under the standards set forth in Section 1-13-5 that the employee is abusing prescription drugs, the employee may be required to submit to drug testing and must not be permitted to return to duty in accordance with section 1-13-5.

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Sec. 1-13-8. - List of medications.

Employees and job applicants shall at the time of testing provide a list of those prescriptions and over-the-counter medications that he or she has recently used. The list of medications shall be kept confidential until test results are available. The list of medications shall be disclosed only to the medical review officer who will determine whether the positive result was due to the lawful use of any of the listed medications.

Sec. 1-13-9. - Acknowledgement; notification.

Every employee subject to alcohol and drug testing shall be required to sign a form issued by the employee's supervisor acknowledging the date, time and location of his or her test.

Sec. 1-13-10. - Consent.

Before a drug and/or alcohol test is administered, employees and job applicants shall be asked to sign a consent form authorizing the test and permitting release of test results to the employer and the medical review officer. The consent form shall provide a space for employees and job applicants to acknowledge that they have been notified of the requirements of this chapter.

Sec. 1-13-11. - Refusal to consent.

- A. *Job applicants.* Any applicant for a Category I job with the Athens-Clarke County Government who refuses to consent to a drug and alcohol test shall be denied employment.
- B. *Employees.* Any employee who refuses to sign the consent form referenced in section 1-13-10, or to submit to a drug and alcohol test as required herein shall be suspended for three (3) days with pay pending termination.
- C. *Failure to appear.* Employees who fail to appear without justification (absent emergency circumstances) at the designated collection site within the designated time to be tested when so directed shall be considered to have refused testing and shall be suspended for three (3) days with pay pending termination.
- D. Additional employee actions that are considered as refusals for which the employee shall be suspended for three (3) days with pay pending termination include:
 1. Failure to provide sufficient quantities of breath or urine to be tested without a valid medical explanation and after sufficient time has been allowed to provide such samples; or

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2. Tampering with or attempting to adulterate a testing specimen or the collection procedure; or
3. Leaving the scene of an accident without a valid reason before the tests have been conducted.

Sec. 1-13-12. - Testing procedures.

- A. All testing procedures shall be administered and accounted for by an approved Department of Health and Human Services (HHS) laboratory and/or medical facility that is operated in compliance with the Substance Abuse and Mental Health Services Administration (SAMHSA) guidelines in accordance with 49 CFR Part 40. These procedures and guidelines shall be available for inspection by contacting the Athens-Clarke County Safety and Risk Manager.
- B. In accordance with HHS and SAMHSA guidelines, all urine drug testing specimens must be collected as "split" specimens. The term "split" specimen means that one urine specimen will be divided into two (2) separately sealed specimen bottles for submission to the laboratory – one bottle (primary to be split with one half used for initial screening and the other half for the confirmation screening) and a secondary bottle for split sample testing if it is requested.
- C. Whenever an initial test is found to be positive, an automatic confirmation test will be performed. If result is positive, then that employee has 72 hours to request from the medical review officer that the secondary bottle for split sample testing be sent to a second lab.
- D. If the employee does not contest the results, or if the secondary bottle of the split sample also tests positive, then the employee shall be suspended for three (3) days with pay pending termination. If the secondary bottle produces a negative result, or for any reason the secondary bottle is not available, then the test shall be considered negative, and no sanctions shall be imposed on the employee.
- E. Breath Alcohol Test (BAT). If results of BAT are positive, then a confirmation test must be conducted at least 15 minutes, but not more than 20 minutes, after the completion of the initial test.
- F. Following administration of a drug test as prescribed in this chapter, the analysis of samples shall be performed by a laboratory and/or medical facility that is certified by the Department of Health and Human Services (HHS) and the Substance Abuse and Mental Health Services Administration (SAMHSA) to determine the presence of drugs described hereinafter. A DOT or Non-DOT test will be administered as applicable based upon the safety-sensitive category of the employee, and/or if the test is required by current FTA/DOT standards.

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Following are the list of drugs tested for in the Non-DOT and DOT screenings:

- A. NON-DOT/11- panel drug screen testing/checks specific gravity & creatinine
 - Amphetamines (speed, uppers – to include MDMA - Ecstasy)
 - Methamphetamines
 - Barbiturates
 - Benzodiazepine (valium, xanax)
 - Cocaine
 - Methadone
 - Opiates (Lortab, codeine, morphine – to include 6-Acetylmorphine – Heroin-specific metabolite)
 - Oxycodone (Percocet)
 - Phencyclidine (PCP)
 - Propoxyphene (Darvocet)
 - THC (marijuana)
- B. DOT/5 panel drug screen testing
 - Amphetamines (speed, uppers – to include MDMA - Ecstasy)
 - Cocaine
 - Opiates (Lortab, codeine, morphine – to include 6-Acetylmorphine – Heroin-specific metabolite)
 - Phencyclidine (PCP)
 - THC (marijuana)

DOT testing shall be performed for drivers holding a Georgia Commercial Driver's License (CDL) when:

- a) An accident involves a human fatality, whether or not the CDL driver receives a citation.
- b) An accident involves bodily injury with immediate medical treatment away from the scene (to any party), when the CDL driver has been issued a citation.
- c) There is disabling damage to any motor vehicle requiring tow away; when the CDL driver has been issued a citation.

Sec. 1-13-13. - Confidentiality of test results.

All information from an employee's or job applicant's drug and alcohol test shall be confidential and only available to the department director, human resources director, safety and risk manager and those with a need to know, as determined by the human resources director, for compliance with state and federal law concerning confidentiality of medical records. Disclosure of test results to any other person, agency, or organization

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is prohibited unless written authorization is obtained from the employee or job applicant, or pursuant to a legally-sufficient court order or subpoena.

Sec. 1-13-14. - Disciplinary and termination policy.

Immediate termination. Any of the following actions shall be grounds for termination of an employee:

1. Being in possession of or distributing controlled substances while on the job.
2. Operating a government vehicle or motorized equipment while under the influence of drugs and/or alcohol.
3. Felony conviction for violation of drug laws.
4. Testing positive for drugs or alcohol during assigned working hours.

Employees who test positive for use of an illegal drug, use of a prescription drug for which they do not have a current prescription, or for abuse of a legally prescribed drug (Sec. 1-13-7) shall be suspended for three (3) days with pay pending termination.

Any employee who has been terminated for violation of this chapter may be reconsidered for rehire after two years from termination date.

Sec. 1-13-15. - Employee assessment.

Employees who have been terminated under the provisions of this chapter shall be provided with the names, addresses and telephone numbers of substance abuse professionals, counseling, and treatment programs that can determine what assistance, if any, the employee may need to help him or her resolve any problems associated with substance abuse. Athens-Clarke County shall not be responsible to pay for such evaluation, treatment, rehabilitation, or counseling for said employee.

Sec. 1-13-16. - Voluntary employee assistance program.

Voluntary participation in an employee assistance program prior to an employee being requested to submit to a test is encouraged and such participation shall be kept confidential. No disciplinary action shall be implemented because an employee volunteers to participate in such a program. Employees who, prior to being requested to take a drug and/or alcohol test, voluntarily identify themselves as a drug user or alcohol abuser and obtain counseling and rehabilitation as recommended by the Athens-Clarke County employee assistance program shall not be disciplined for their drug use and/or alcohol abuse if they thereafter refrain from violating the prohibitions of this chapter.

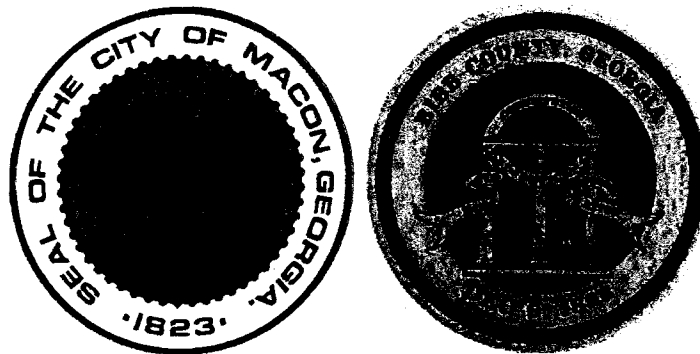
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Except as described above in this section, all employees can be disciplined for violation of this chapter.

Sec. 1-13-17: - Drug and alcohol criminal charges and dispositions.

Any employee in Category I or Category III shall be required to report to his or her department director any arrest or citation for alleged violation of a drug or alcohol statute or ordinance. Such report shall be made within five (5) working days of such arrest or citation. Any employee in Category I or Category III shall be required to report any conviction, judicial disposition or entry into a pretrial diversion program related to a criminal drug or alcohol statute or ordinance. Such report shall be made within five (5) working days of such action. The department director shall then investigate and make appropriate recommendation to the human resources director.

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.



Macon-Bibb County Government

Policies and Procedures Manual

Approved and Adopted, December 31, 2013

Item # 5

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Approved and Adopted, December 31, 2013

MBCG Policies and Procedures

6.12

ZERO TOLERANCE DRUG AND ALCOHOL FREE WORKPLACE

It is the policy of the MBCG County Commission to provide a safe, healthy, and secure work environment for all employees. It is also the policy of the MBCG County Commission to ensure that all employees perform their job duties in a safe, efficient, and productive manner. In an effort to ensure that department heads, managers, supervisors, Mayor and members of the County Commission continue to be informed and educated on the MBCG's drug and alcohol policies, updated training will be required every three (3) years. Any employee who is hired or promoted into a supervisory position must receive training on this policy within one (1) year of hire or promotion.

Finally, it is the policy of the MBCG County Commission to ensure that its equipment and facilities are maintained and utilized appropriately so as not to pose a risk of harm. The use of drugs and the misuse of alcohol are inconsistent with these policies. Accordingly, to protect the health, safety, and welfare of employees, citizens, visitors, and persons who interact with MBCG employees during the course and scope of their employment, MBCG has adopted this Drug and Alcohol Free Workplace Policy which shall be strictly enforced.

- **Applicability of Policy**

Unless otherwise provided, this policy applies to all safety sensitive and non-safety sensitive MBCG employees, part-time employees, contract employees, and contractors when they are on MBCG property or when conducting any MBCG business in any location. This policy also applies during off-site lunch periods or breaks when an employee is scheduled to return to work. Visitors, vendors, and contract employees are governed by this policy while on MBCG premises and will not be permitted to conduct any MBCG business if found to be in violation of this policy.

- **Prohibited Conduct**

The following violations of the Drug and Alcohol Free Workplace Policy constitute gross misconduct and shall result in termination of employment. Where criminal activity is suspected, Bibb County law enforcement shall be notified.

Approved and Adopted, December 31, 2013

MBCG Policies and Procedures

6.12

1. Unauthorized use, manufacture, possession, sale, or solicitation for the purpose of purchase/sale of drugs or alcohol on MBCG property, while the employee is on duty, or while wearing a MBCG uniform or insignia. Any MBCG employee—regardless of sensitivity of position or duties—who is reasonably suspected of being intoxicated, impaired, under the influence of a prohibited substance or not fit for duty shall be suspended from job duties pending an investigation and verification of condition. Employees found to be under the influence of a prohibited substance or who fail to pass a drug or alcohol test shall be terminated. A drug or alcohol test is considered positive if the individual is found to have a quantifiable presence of a prohibited substance in the body above the minimum thresholds defined in 49 CFR Part 40, as amended.
2. Hindering, obstructing, or refusing to cooperate or participate in any investigation involving suspected violations of this policy. This includes, but is not limited to, providing false, misleading, or incomplete information in response to any inquiry from a supervisor related to a suspected violation of this policy. It also includes refusing to undergo a drug or alcohol test(s). Refusal to undergo testing can include an inability to provide a sufficient urine specimen, saliva sample, or breath sample without a valid medical explanation, as well as a verbal declaration, obstructive behavior, or physical absence resulting in the inability to conduct the test.
3. Hindering, delaying, or obstructing a drug or alcohol test(s), including but not limited to, tampering with a sample or interfering in any way with the chain of custody. Any employee who is suspected of providing false information in connection with a test, or who is suspected of falsifying test results through tampering, contamination, adulteration, or substitution will be required to undergo an observed specimen collection.
4. Reporting to work or engaging in any work activity whatsoever on behalf of MBCG in a condition which could pose a threat of harm to the

6.12

employee or to any other person, or reporting to or engaging in any work on behalf of MBCG in a condition which could impair the ability to satisfactorily perform any essential function of the job due to the use of drugs or misuse of alcohol. The presence of any detectable amount of drugs, or the presence of alcohol in a concentration of 0.04 breath alcohol content (BAC) or greater, creates a presumption that the employee is in violation of the MBCG Drug and Alcohol Free Workplace Policy. No CDL employee shall perform their safety-sensitive job functions within eight (8) hours after using alcohol. All employees are prohibited from using alcohol while on duty, while in uniform or when wearing MBCG insignia, while performing any job function, or just before or just after performing any safety-sensitive function.

5. Abusing or misusing prescription drugs or over-the-counter medications. This includes, but is not limited to, the use, possession, sale, or solicitation for the purpose of purchase or sale of any prescription medication for which the employee lacks a valid prescription.

- **Prohibited Substances**

- "Illegal drugs" refers to marijuana, cocaine, amphetamines, methamphetamines, opiates (including heroine and codeine), phencyclidine, and all other "controlled substances" as defined in Title 16 of the Official Code of Georgia. Use of any illegal drug or any substance identified in Title 16 of the Official Code of Georgia is prohibited at all times unless a legal prescription has been written for the substance.
- "Alcohol" includes any beverage or substance containing alcohol manufactured for the primary purpose of personal consumption. Use of beverages or other substances containing alcohol while on duty or engaged in MBCG business is prohibited. Concentration of alcohol is expressed in terms of alcohol per 210 liters of breath as measured by an evidential breath-testing device.
- "Prescription drugs" means any substance which is attainable only by lawful prescription from a physician. Appropriate use of legally prescribed

6.12

drugs and over-the-counter medication is not prohibited. However, the use of any substance bearing a warning label which indicates that mental function, motor skills, or judgment may be adversely affected must be reported to the employee's immediate supervisor. If an employee obtains a performance altering prescription, he/she must also obtain a written release from the attending physician which states that the employee can perform his/her job duties while using the medication as prescribed. A lawful prescription must include the patient's name, name of the substance, quantity/amount to be taken, and the period of authorization. Misuse or abuse of prescription drugs while performing MBCG business is prohibited.

- "Over-the-counter medication" includes any substance which does not require a prescription but which has the capacity to affect a person physically, mentally, or emotionally or which could otherwise affect a person's ability to safely perform any essential job function.

- **Safety-Sensitive Employees**

Safety sensitive employees are those who perform safety-sensitive functions. Safety-sensitive functions include all time from the time an employee begins work or is on call for work and all responsibility for performing work. Safety-sensitive functions include, but are not limited to, any duty related to inspecting equipment; driving or operating, in any manner, a motor vehicle; driving or operating, in any manner, a commercial motor vehicle; loading or unloading a vehicle, supervising or assisting in the loading or unloading, remaining in readiness to operate a vehicle, or in giving or receiving receipts for shipments loaded or unloaded; repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle; maintenance of any motor vehicle or motorized equipment; maintenance and custodial functions. Safety-sensitive employees also include dispatch personnel; security personnel; law enforcement personnel; any employee who holds a commercial driver's license; and employees of the parks and recreation department who work closely with families and children of Macon-Bibb County.

6.12

When Drug Testing Is Required

1. **Pre-employment:** Applicants for all positions of employment with MBCG must undergo pre-employment drug testing after a conditional offer of employment has been extended. This requirement also applies to seasonal employees, interns, and any other persons who will be working in any MBCG facility. A negative drug test result is a prerequisite for employment with MBCG. Failure of a pre-employment drug test disqualifies an applicant for employment with MBCG.
2. **Random testing:** *All safety-sensitive employees shall be subject to random drug testing under MBCG's policies for ensuring a safe working environment, promoting employee efficiency, protecting the MBCG from liability, and protection of the MBCG's assets, other employees, and the public.*

MBCG employees in positions requiring CDL shall be required to undergo random drug testing in accordance with regulations of the Federal Motor Carrier Safety Administration (FMCSA) of the U.S. Department of Transportation (DOT). Refusal to comply with random testing shall result in removal from duty and termination of employment. Refusal to undergo testing can include an inability to provide a sufficient urine specimen, saliva sample, or breath sample without a valid medical explanation, as well as a verbal declaration, obstructive behavior, or physical absence resulting in the inability to conduct the test.

Tests will be ordered on a random, unannounced basis from the pool of identified CDL and safety sensitive employees throughout the year.

A random number table or computer-based random number generator will be used to select employees for random drug and alcohol testing, thereby allowing each employee an equal chance of being tested each month.

At least 25% of the employees in the CDL random testing pool will be selected for substance abuse testing, and at least 25% of such employees for breath alcohol testing. Actual percentages will be as determined by the FMCSA. At least 2% to 10% of safety-sensitive employees per department will be selected and tested for drugs and alcohol each year.

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An employee's name will remain in the pool after being selected so that every employee will have an equal chance of being tested each time selections are made. Therefore, it is possible that any employee who is randomly selected may be randomly selected again during the same year.

Any employee with a confirmed positive drug or alcohol test will be removed from his/her position and referred to a substance abuse professional for assessment at the employee's expense. A confirmed positive drug or alcohol test will result in termination of employment.

3. **After care testing:** Persons in safety sensitive positions returning to work from an approved, self-referred treatment program for drug or alcohol abuse will be subject to frequent, unannounced urine and/or breath testing following return to duty. Follow up testing will be performed for a period of one (1) to five (5) years with a minimum of six (6) tests to be performed during the first year following return to duty.

Employees who re-enter MBCG's work force following self-referral to a drug or alcohol treatment program or facility must agree to a re-entry agreement with MBCG. The agreement may include, but is not limited to:

- A. A release to work statement from the substance abuse professional;
- B. A negative test for alcohol and/or drug use;
- C. An agreement to submit to unannounced and frequent follow-up testing for a period of one (1) to five (5) years with a minimum of six (6) tests to be administered during the first year following return to duty;
- D. Statement of work-related behaviors;
- E. An agreement to follow specified after-care requirements with the understanding that violations of the re-entry agreement shall be grounds for termination of employment.

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4. **Return to duty testing:** CDL and safety-sensitive employees who are absent from work on any leave for more than thirty (30) days shall be tested for drugs immediately prior to returning to work and before performing any job duties.
5. **Position testing:** Employees who are transferred, promoted, or demoted into a CDL or safety-sensitive position from a non-safety sensitive position will be tested for drugs before performing any job duties in the new position.
6. **Reasonable suspicion testing:** *All employees will be subject to testing when there is reasonable suspicion that the employee has used drugs or misused alcohol in violation of this policy.* Grounds for reasonable suspicion testing shall include, but not be limited to:
 - Personal observation of the employee's job performance appearance, behavior, speech or odor creating a reasonable suspicion that the employee has used drugs or alcohol in violation of this policy; or
 - Personal observation of the employee's job performance, appearance, behavior, speech or odor which causes reasonable suspicion that the employee (i) is impaired by drugs or alcohol; (ii) has used drugs or alcohol while on duty; (iii) or poses a threat to the safety of himself or others due to the use of drugs or misuse of alcohol in violation of this policy;
 - Specific and objective facts indicating that an employee's drug or alcohol use may have caused or been a contributing factor to an on-duty motor vehicle accident. An alcohol test(s) should be completed within two (2) hours of the accident and a drug test(s) within thirty-two (32) hours of the accident. The following facts, if present, may independently or collectively, depending on the circumstances, give rise to reasonable suspicion:
 - A. The appearance, behavior, speech, or odor of the employee immediately prior to or after the accident;
 - B. The employee left the scene or attempted to leave the accident scene without legal authority or permission to do so;

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- C. The employee acted contrary to a safety rule, established safety practice, or otherwise engaged in demonstrably unsafe behavior for which there is no reasonable explanation;
 - D. The employee was arrested or received a traffic citation;
 - E. The employee or any person received medical attention as a result of the accident;
 - F. The employee has been involved, as a contributing factor, in a pattern of repetitive on-duty motor vehicle accidents whether or not they involved actual or potential injury.
- Drugs, drug paraphernalia, alcohol or containers indicating the presence of drugs or alcohol are observed or discovered in a location in which the employee had primary control or access, including but not limited to, desks, lockers, equipment, machines, or vehicles. The employee must have accessed the location within twelve (12) hours prior to the discovery of such items.
 - Specific and objective facts showing the employee diluted, tainted, tampered, or interfered with any breath, blood, or urine sample, or any test(s) required under this policy, or that the employee attempted to do the same.
7. **Post-accident Testing:** When an employee is involved in an on-duty motor vehicle collision or an off-duty motor vehicle collision while operating a MBCG vehicle, or is injured during the course of their employment, alcohol and drug testing will be performed. Alcohol test(s) should be administered within two (2) hours of the accident and drug test(s) should be administered within thirty-two (32) hours of the accident. This testing is to be performed in addition to any drug or alcohol test(s) ordered by law enforcement authorities.
8. **Consent Testing:** When any employee has consented to a drug or alcohol test(s), the consent must be signed by the employee and a supervisor from the employee's department, or an authorized person from the Human Resources Department.

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Testing Procedure

- Whenever there is reasonable suspicion to require a drug or alcohol test(s) under this policy, the department head or his/her designee shall be notified of the circumstances necessitating the test(s) as soon as possible.
- All circumstances causing reasonable suspicion to require a drug or alcohol test(s) shall be fully documented by the supervisor(s) and all appropriate witnesses as soon as possible.
- All MBCG-issued equipment, property, and facilities, including but not limited to, desks, lockers, and vehicles (collectively "materials") are subject to inspection at any time and for any reason. No employee shall have any privacy interest whatsoever in any MBCG-issued materials. No personal property may be searched unless the owner of the property has consented or a search is otherwise legally permissible.
- Alcohol screening will be conducted using a federally approved testing device operated by a trained technician. An initial screening will be conducted first. If the initial test indicates an alcohol concentration of 0.02 or greater, a second test will be performed to confirm the results of the initial test. The confirmatory test will be performed using a federally approved evidential breath testing device operated by a trained breath alcohol technician.
- Any tested employee with a confirmed alcohol concentration of 0.02 or greater but less than 0.04 will be removed from duty for 24 hours without pay. This removal from duty will be treated as an unexcused absence subject to termination of employment for a second offense. A confirmed alcohol concentration of 0.04 or greater shall constitute a positive alcohol test in violation of this policy and a violation of the federal requirements for safety sensitive employees set forth in 49 CFR Part 654.
- Ordinarily, drug test(s) will screen for marijuana, cocaine, amphetamines, methamphetamines, opiates (including heroine and codeine), barbiturates, benzodiazepines, and phencyclidine (PCP). Testing will involve an initial screening test(s) of a urine specimen. If a sample is found to be "not negative", a confirmation

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test by gas chromatography/mass spectrometry (GC/MS) analysis will be conducted. Test results will be certified, to the fullest extent possible under the circumstances, by a laboratory approved by the U.S. Department of Health and Human Services (DHHS). The confirmation test will be considered as having a positive result of the amounts present are above the minimum thresholds established by 49 CFR Part 40, as amended.

- In any instance in which there is reason to believe an employee is abusing a substance other than the seven (7) drugs listed above, MBCG reserves the right to test for additional drugs under its own authority using standard laboratory testing protocols.
- All positive drug test results will be interpreted by a physician approved by MBCG as a Medical Review Officer (MRO) before the results are reported to the MBCG. The MRO will make reasonable efforts to ascertain whether there may be a legitimate medical explanation for any positive test result by requesting information from the employee prior to administering the test(s).
- Upon notification of a verified positive result for drugs, the employee may request that the remaining portion of his/her (original) split specimen undergo a second confirmation test at his/her expense at a different DHHS laboratory. If the test conducted at the employee's request is negative for the presence of drugs, a third test may be made at MBCG's sole expense at a separate DHHS facility of its choosing. The results of the third facility will be determinative. If the results from the third facility are negative, all prior positive tests will be disregarded and shall not be the basis for any disciplinary or adverse action.
- The method of collecting, storing, and testing the split sample will be consistent with the procedures set forth in 49 CFR Part 40, as amended. The employee's request for a split sample test must be made to the Medical Review Officer (MRO) within 72 hours of notice of the original sample verified result. Requests after 72 hours will only be accepted if the delay in the request was due to documented facts beyond the control of the employee.

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- The MBCG will make reasonable efforts to notify the employee of a positive drug test within five (5) days from the date it receives the test results. Because the results of a breath alcohol test are immediately available, this provision will not apply to alcohol tests conducted in such a manner.
- Any employee ordered to be tested based upon reasonable suspicion shall be immediately removed from duty, escorted to the testing facility, and taken home (unless other suitable arrangements have been made to transport the employee, including calling a cab). Under no circumstances will the employee be allowed to drive himself/herself home. The employee shall turn in keys to a MBCG vehicle, building, or office, as well as his/her identification badge or any other property belonging to MBCG.
- In any situation in which the employee has been ordered to be tested or tests positive and the employee refuses assistance in leaving the building or property or insists on leaving in his/her own vehicle, supervisors and/or department heads must document the situation and, depending on the circumstances, contact the Bibb County Sheriff's Office non-emergency line. Provide the sheriff's department with the employee's name, vehicle description and license plate number. However, if the employee is extremely agitated, violent, or is making threats of violence, leaves the premises in a MBCG vehicle, or if you believe the employee has violated the law, call 9-1-1.
- In the event that it is not reasonable under the circumstances to conduct an alcohol test based on a breath test, MBCG reserve the right to test for the presence of alcohol by a blood test analysis. If this procedure is used, MBCG will make reasonable efforts to notify the employee of the results within five (5) days after the results have been received. An MRO will not be used when a blood test for alcohol is administered.

Drug and Alcohol Treatment

An employee who voluntarily identifies himself/herself as a user of drugs or abuser of alcohol prior to being asked or required to take a drug/alcohol test(s) will not be subject to disciplinary action if the employee seeks immediate assistance and treatment through the MBCG's Employee Assistance Program or a similarly available treatment program.

Approved and Adopted, December 31, 2013

MBCG Policies and Procedures

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Failure to comply with all requirements of a treatment program, or continued use of drugs or alcohol during or after completion of such a program, will result in an appropriate disciplinary action if such use results in a violation of this policy. Nothing in this policy is intended to discriminate against any person on the basis of addiction to drugs or alcohol or on the basis of an individual's medical history of addiction to drugs or alcohol pursuant to the Americans with Disabilities Act (ADA). However, MBCG reserves the right to take into account, for purposes of employment or disciplinary action, any history of criminal activity related to such use to the extent that such may lead to disqualification from employment.

Proper Application of This Policy

The MBCG is dedicated to assuring fair and equitable application of its drug and alcohol free workplace policy. Supervisors, managers and department heads are required to use and apply all aspects of this policy in an unbiased and impartial manner. Any supervisor, manager or department head who knowingly disregards the requirements of this policy or who is found to deliberately misuse the policy in regard to subordinates shall be subject to termination.

Confidentiality

All reports of test results for drugs and alcohol, searches, or any employee referral to or participation in an EAP program or treatment program for addictive disorders will be maintained in strict confidence. Any person authorized to have access to such confidential information who, without authorization, discloses it to another person shall have engaged in gross misconduct and shall be subject to severe disciplinary action up to and including termination of employment. The confidentiality of such information shall not apply to any use by or communication to the office of the MBCG Attorney, or where the information is relevant to the MBCG's defense in an administrative or civil action. Such information may also be disclosed to the extent required by any federal, state, or local law, statute, ordinance or regulation. All personal health information shall be maintained in accordance with the Health Insurance Portability and Accountability Act (HIPAA); access to such information shall be limited to individuals who need the information to process claims under a MBCG program, or to individuals for whom the employee has signed a release form and presented the form to the administrator of such program.

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MACON BIBB CONSOLIDATED GOVERNMENT ALCOHOL AND DRUG-FREE WORKPLACE POLICY

PURPOSE AND GOAL

Macon Bibb Consolidated Government (MBCG) is committed to providing a safe, healthy, and secure work environment for all of its employees; fostering the well-being and health of its employees; ensuring that all employees perform their job duties in a safe, efficient, and productive manner; ensuring that its equipment and facilities are maintained and utilized appropriately so as not to pose a risk of harm; and, protecting the health, safety, and welfare of citizens, visitors, and persons who interact with MBCG employees during the course and scope of their employment.

The intention of this policy is to eliminate substance abuse and its effects in the workplace. This commitment is jeopardized when any MBCG employee illegally uses drugs on or off the job; comes to work under the influence of drugs; possesses, distributes, or sells drugs in the workplace; or, abuses alcohol on the job.

Therefore, MBCG has established, adopted, and will enforce the following policy to address drug and alcohol abuse:

APPLICATION

Unless otherwise provided, this policy applies to all employees of MBCG, applicants for employment who are offered positions with MBCG, applicants for safety-sensitive positions with MBCG, volunteers, interns, contract employees, and contractors when they are on MBCG property or when conducting any MBCG business in any location. This policy also applies during off-site lunch periods or breaks when an employee is scheduled to return to work. Visitors, vendors, and contract employees are governed by this policy while on MBCG premises and will not be permitted to conduct any MBCG business if found to be in violation of this policy.

MBCG is dedicated to assuring fair and equitable application of its alcohol and drug-free workplace policy. Supervisors, managers, and department heads are required to use and apply all aspects of this policy in an unbiased and impartial manner. Any supervisor, manager, or department head who knowingly disregards the requirements of this policy or who is found to deliberately misuse the policy in regard to subordinates shall be subject to termination.

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DEFINITIONS

1. "Alcohol" includes any beverage or substance containing alcohol manufactured for the primary purpose of personal consumption or as defined in 49 C.F.R. Part 382. The concentration of alcohol is expressed in terms of alcohol per 210 liters of breath as indicated by an evidential breath test.
2. "Illegal Drugs" refers to marijuana, cocaine, amphetamines, methamphetamines, opiates (including heroin and codeine), phencyclidine, and all other "controlled substances" as defined in Title 16 of the Official Code of Georgia Annotated and/or 49 C.F.R. Part 382. Use of any illegal drug or any substance identified in Title 16 of the Official Code of Georgia Annotated and/or 49 C.F.R. Part 382 is prohibited at all times unless a legal prescription has been written for the substance.
3. "Over-the-Counter Medications" includes any substance which does not require a prescription but which has the capacity to affect a person physically, mentally, or emotionally, or which could otherwise affect a person's ability to safely perform any essential job function.
4. "Prescription Drugs" means any substance which is attainable only by lawful prescription from a physician or other authorized medical provider. A lawful prescription must include the patient's name, name of the substance, quantity/amount to be taken, and the period of authorization.
5. "Safety-Sensitive Employees" are those employees who perform safety-sensitive functions, including but not limited to the use of dangerous equipment which may cause serious injury or harm to the operators or others, or a position which involves duties, functions, or situations which have the potential of causing serious injury or harm to the employee or others. Safety-sensitive functions include all time from the time an employee begins work or is on call for work and all responsibility for performing work. Safety-sensitive positions include, but may not be limited to the following:
 - a. Any duty related to inspecting equipment;
 - b. Driving or operating, in any manner, a motor vehicle;
 - c. Driving or operating, in any manner, a commercial motor vehicle;
 - d. Loading or unloading a vehicle, supervising or assisting in the loading or unloading, remaining in readiness to operate a vehicle, or in giving or receiving receipts for shipments loaded or unloaded;
 - e. Repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle;

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- f. Maintenance of any motor vehicle or motorized equipment;
- g. Maintenance and custodial functions;
- h. Dispatch personnel;
- i. Security personnel;
- j. Law enforcement personnel;
- k. Any employee who holds a commercial driver's license;
- l. Employees of the parks and recreation department who work closely with families and children of Macon Bibb County.

PROVISIONS

1. Authorized Prescribed Medicine

The use of physician-prescribed or over-the-counter medications and drugs will not be, per se, a violation of this policy. However, any employee who is taking any medication or drugs which could interfere with the safe and effective performance of duties or operation of vehicles or equipment shall notify his or her supervisor before beginning work. Failure to do so may result in disciplinary action, including termination. If there is a question regarding such employee's ability to safely and effectively perform assigned duties, pre-clearance from a physician will be required.

2. Prohibitions

The following conduct is expressly prohibited, and violations shall result in disciplinary action, which may include termination. Where criminal activity is suspected, Macon Bibb County law enforcement shall be notified.

- a. Unauthorized use, consumption, possession, manufacture, growth, distribution, dispensation, or sale of controlled substances or illegal drugs or drug paraphernalia on MBCG premises, in MBCG-supplied vehicles, in any MBCG work area, or while wearing a MBCG uniform or insignia.
- b. Unauthorized use, consumption, possession, manufacture, distribution, dispensation, or sale of alcohol, while on duty, on MBCG premises, in MBCG-supplied vehicles, in any MBCG work area, or while wearing a MBCG uniform or insignia.
- c. Being under the influence of an unauthorized or controlled substance or illegal drug or alcohol, while on duty, on MBCG premises, in MBCG-supplied vehicles, or in any MBCG work area.
- d. The use or possession of alcohol or illegal drugs off MBCG premises and while not on duty may be cause for discipline where such conduct can be shown to

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have a direct and material adverse impact on MBCG's interests, including public image.

- e. Reporting to work or engaging in any work activity whatsoever on behalf of MBCG in a condition which could pose a threat of harm to the employee or other person, or reporting to or engaging in any work on behalf of MBCG in a condition which could impair the ability to satisfactorily perform any essential function of the job due to the use of drugs or misuse of alcohol.
- f. A conviction of an employee for the sale of or possession with intent to sell illegal drugs at any time or place is cause for immediate termination.
- g. Storage in a locker, desk, automobile, or other repository on MBCG property of any illegally-used drug, controlled substance, drug paraphernalia, or alcohol whose storage is unauthorized.
- h. Switching or adulterating any sample.
- i. Refusing to consent to or submit a breath, urine, hair, or blood sample for testing, or refusing to undergo a drug or alcohol test(s), which may include an inability to provide a sufficient urine specimen, saliva sample, or breath sample without a valid medical explanation; a verbal declaration of refusal to undergo a drug or alcohol test(s); obstructive behavior; or, physical absence resulting in the inability to conduct the test.
- j. Failure to notify, in writing, MBCG of any arrest or conviction under any drug or alcohol statute for a violation occurring in the workplace, within five (5) days of the conviction.
- k. Abusing or misusing prescription drugs or over-the-counter medications, which includes but is not limited to the use, possession, sale, or solicitation for the purpose of purchase or sale of any prescription medication for which the employee lacks a valid prescription.
- l. Failure to notify a supervisor of the use of a prescription drug which may alter the employee's behavior or physical or mental ability. If an employee obtains a performance-altering prescription, the employee must also obtain a written release from the attending physician which states that the employee can perform his/her job duties while using the medication as prescribed.
- m. Refusing to sign a statement agreeing to abide by MBCG's Alcohol and Drug-Free Workplace Policy, and any other forms required during any testing process.
- n. Hindering, obstructing, or refusing to cooperate or participate in any investigation involving suspected violations of this policy, including but not limited to providing false, misleading, or incomplete information in response to any inquiry from a supervisor related to a suspected violation of this policy.
- o. Hindering, delaying, or obstructing a drug or alcohol test(s), including but not limited to tampering with a sample or interfering in any way with the chain of custody; providing false information in connection with a test; or, falsifying test results through tampering, contamination, adulteration, or

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substitution. Any employee who is suspected of false information in connection with a test, or who is suspected of falsifying test results through tampering, contamination, adulteration, or substitution will be required to undergo an observed specimen collection.

Any employee reasonably suspected of violating any of these provisions shall be suspended from his/her job duties pending an investigation and verification of condition. The employee will be subject to alcohol and/or drug testing and, if the employee is under the influence of a prohibited substance or fails to pass a drug or alcohol test, he/she shall be terminated.

3. Drug and Alcohol Treatment

- a. An employee who voluntarily identifies himself/herself as a user of drugs or abuser of alcohol prior to being asked or required to take a drug/alcohol test will not be subject to disciplinary action if the employee seeks immediate assistance and treatment through MBCG's Employee Assistance Program or a similarly available treatment program.
- b. Failure to comply with all requirements of a treatment program, or continued use of drugs or alcohol during or after completion of such a program, will result in an appropriate disciplinary action if such use results in a violation of this policy.
- c. Nothing in this policy is intended to discriminate against any person on the basis of addiction to drugs or alcohol or on the basis of an individual's medical history of addiction to drugs or alcohol pursuant to the Americans with Disabilities Act (ADA). However, MBCG reserves the right to take into account, for purposes of employment or disciplinary action, any history of criminal activity related to such use to the extent that such may lead to disqualification from employment.

4. Searches

- a. MBCG reserves the right to search for evidence of prohibited conduct at any time and without notice or employee consent of all areas and property, real or personal, which are owned or controlled by MBCG or where MBCG has the right to control, including joint control with an employee. Such areas and property include, but are not limited to MBCG-owned or leased or controlled buildings, parks, land, motor vehicles, desks, lockers, files, or storage containers.
- b. With respect to personal property not owned or controlled by MBCG, but which is in the possession or control of the employee on MBCG premises or located in a MBCG-supplied vehicle or in a MBCG work area, and where any supervisor has a reasonable suspicion that an employee is intoxicated or under the influence of alcohol or drugs, and where alcohol or drugs are suspected to be inside such

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personal property, the employee may be ordered to submit said personal property to a search. Such may include orders to unlock and open vehicles, tool boxes, lunch boxes, lockers, etc., and to turn inside out clothing pockets and billfolds, purses, envelopes, sacks, etc. The refusal of the employee to comply with such order may be cause for discipline, including termination.

5. Testing

A drug or alcohol test is considered positive if the individual is found to have a quantifiable presence of a prohibited substance in the body above the minimum thresholds defined in 49 C.F.R. Part 40, as amended.

a. Pre-Employment Testing:

Applicants for all positions of employment with MBCG must undergo pre-employment drug testing after a conditional offer of employment has been extended but before the employee is placed on payroll. This requirement also applies to seasonal employees, interns, and any other persons who will be working in any MBCG facility. A negative drug test is a prerequisite for employment with MBCG. Failure of a pre-employment drug test disqualifies an applicant for employment with MBCG.

b. Pre-Employment, Promotion, or Transfer to Safety-Sensitive Positions Testing:

- i. MBCG shall require, as part of the employment process, that all applicants for initial employment for, or appointment or promotion or demotion or transfer to, any "safety-sensitive" positions (as defined in the "Definitions" section of this policy), must submit to a pre-employment drug and alcohol screening/testing in order to determine the individual's suitability for employment or appointment. The results of such screening/testing will be revealed to the applicant and the applicant will be allowed to request a confirmatory test. Such retest shall be coordinated by the Human Resources/Risk Management Department and shall be performed on the original specimen provided by the applicant and shall be at the applicant's expense. Additionally, the applicant shall be given an opportunity to explain or to provide a bona fide verification of a valid current prescription for any drug identified in the drug screening/testing. The applicant will be informed if the reasons for rejection for employment or appointment include the results of the

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screening/testing.

- ii. An employee who screens/tests positive for alcohol or drugs will be in violation of this policy and may be subject to disciplinary action, including termination. An applicant who tests positive shall not be hired. Refusal of an employee-applicant to submit to the screen/test will be cause for rejection of the appointment or employment of such applicant.

c. **Regular Physical Examinations:**

Whenever MBCG's standard policy requires an employee in a "safety-sensitive" position (as defined in the "Definitions" section of this policy) to undergo a physical examination, that examination may include a breath, saliva, urine, and/or blood tests for alcohol and drugs. Opportunity for confirmatory testing shall be provided as set in this policy. An employee who tests positive for alcohol or drugs during such a physical exam will be in violation of this policy. Refusal of the employee to submit to the test will be cause for discipline, including termination.

d. **Accidents Resulting in Property Damage:**

- i. Any employee who is involved in a motor vehicle accident while operating a MBCG vehicle or equipment or any job-related motor vehicle accident or any other accident which results in property damage will be required to submit to drug and/or alcohol testing. The employee will be taken to a collection site to provide the required urine and/or blood and/or breath and/or saliva specimen as soon as possible after the accident.
- ii. An alcohol test should be completed within two (2) hours of the accident or report of injury but no more than eight (8) hours after the accident or report of injury. A drug test should be completed within eight (8) hours of the accident or report of injury but no more than thirty-two (32) hours after the accident or report of injury.
- iii. All cases involving post-accident testing must be immediately reported in writing to Risk Management/Human Resources.
- iv. The record of the test results shall be included with the report to Risk Management/Human Resources. The facts underlying the determination to require testing shall be disclosed to the employee at the time the order is given.
- v. An employee who tests positive for drugs or alcohol as a result of such testing will be in violation of this policy. Opportunity for confirmatory drug testing shall be provided as set in this policy.

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e. Other Post-Accident Testing:

- i. When an employee is involved in an on-duty motor vehicle collision or an off-duty motor vehicle collision while operating a MBCG vehicle, or is injured during the course of their employment, alcohol and drug testing will be performed.
- ii. An alcohol test should be completed within two (2) hours of the accident or report of injury but no more than eight (8) hours after the accident or report of injury. A drug test should be completed within eight (8) hours of the accident or report of injury but no more than thirty-two (32) hours after the accident or report of injury.
- iii. The Supervisor or Department Head shall require tests for injuries received on the job, but for which medical attention is not necessary.
- iv. All employees who have been involved in an on-the-job accident, injury, or serious safety violation under circumstances that suggest possible use or influence of drugs or alcohol in the accident or injury event shall be required to submit to a drug and/or alcohol test. "Involved in an on-the-job accident or injury" means not only one who was injured, but also any employee who potentially contributed to the accident or injury event in any way.
- v. An employee who is required to submit to a test after an on-the-job injury will be escorted to a testing site as soon as practical within the parameters set forth in Section ii above.
- vi. An employee who refuses to provide a blood, urine, breath, or saliva sample as required for testing within the time set forth in this policy shall be advised by Risk Management/Human Resources in writing that such a refusal may result in the forfeiture of all compensation to which the employee may be entitled under the Workers' Compensation Laws of the State of Georgia, and may affect the approval of leave benefits offered by MBCG. Such refusal shall constitute a violation of this policy, and shall result in disciplinary action up to and including termination.
- vii. Pursuant to Georgia's Workers' Compensation laws, if the amount of alcohol in the employee's blood within three (3) hours of the time of an alleged accident, as shown by chemical analysis of the employee's blood, urine, breath, or other bodily substance, is 0.08 grams or greater, there shall be a rebuttable presumption that the accident and injury or death were caused by the consumption of alcohol. The amount of any alcohol found in the employee's blood at any time after the accident, however, may disqualify the employee from workers' compensation benefits.
- viii. If any amount of marijuana or a controlled substance as defined in this

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policy, paragraph (4) of Code Section 16-13-21, Code Sections 16-13-25 through 16-13-29, Schedule I-V, or 21 C.F.R. Part 1308 is in the employee's blood within eight (8) hours of the time of the alleged accident, as shown by chemical analysis of the employee's blood, urine, breath, or other bodily substance, there shall be a rebuttable presumption that the accident and injury or death were caused by the ingestion of marijuana or the controlled substance. The amount of any marijuana or controlled substance in the employee's blood discovered during any time frame, however, may disqualify the employee from workers' compensation benefits.

- ix. This testing is performed in addition to any testing ordered by law enforcement authorities.

f. Reasonable Suspicion Testing:

- i. Whenever a supervisor, Department Head, member of Human Resources, or member of Risk Management has a reasonable suspicion that any employee on duty or scheduled for duty is intoxicated or under the influence of alcohol or drugs, the employee may be ordered by MBCG to submit to a drug and/or alcohol test. Refusal of an employee to submit to the test will be cause for discipline, including termination.
- ii. The Department Head or his/her designee shall be notified of the circumstances necessitating the test as soon as possible.
- iii. The supervisor or Department Head shall fully document all appropriate witnesses as soon as possible.
- iv. "Reasonable suspicion" is that quantity of proof or evidence that is more than intuition or strong feeling, but less than probable cause, and must be based on specific, objective facts or reasonable inferences drawn from facts that would cause a reasonable person to suspect that the employee is or has been using drugs or alcohol.
- v. Such "reasonable suspicion" facts include, but are not limited to any one or more of the following:
 - 1. Direct observation of prohibited drug or alcohol use;
 - 2. Slurred speech;
 - 3. Alcohol beverage odor on breath;
 - 4. Unsteady walking and movement or other such physical appearance;
 - 5. An accident involving MBCG property;
 - 6. An on-duty motor vehicle accident;
 - 7. Physical altercation;

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8. Verbal altercation;
 9. Lapse in cognitive abilities;
 10. Aggressive, hostile, threatening, disruptive, or unusual behavior;
 11. A report of prohibited drug or alcohol use as provided by a reliable and credible source;
 12. Evidence that an employee diluted, tainted, tampered, or interfered with any breath, blood, saliva, or urine sample, or any test required under this policy, or that the employee attempted to do the same;
 13. Evidence that the employee is involved in the use, possession, sale, solicitation, or transfer of prohibited drugs;
 14. Drugs, drug paraphernalia, alcohol, or containers indicating the presence of drugs or alcohol observed or discovered in a location in which the employee had primary control or access, including but not limited to desks, lockers, equipment, machines, or vehicles. The employee must have accessed the location within twelve (12) hours prior to the discovery of such items;
 15. Conviction for a drug-related offense in the workplace or during work hours;
 16. Repeated or flagrant violations of MBCG's safety or work rules which are determined by a supervisor to pose a substantial risk of injury or property damage and which are not attributable to other factors and appear to be related to drug and/or alcohol abuse;
 17. Tardiness or absence indicative of off-duty use of alcohol or prohibited drugs, which renders the employee unable or unwilling to perform duties.
- vi. Any employee ordered to be tested based upon reasonable suspicion shall be immediately removed from duty, escorted to the testing facility, and taken home (unless other suitable arrangements have been made to transport the employee, including calling a cab). Under no circumstances will the employee be allowed to drive himself/herself home. The employee shall turn in keys to a MBCG vehicle, building, or office, as well as his/her identification badge or any other property belonging to MBCG.

g. **Random Drug Testing:**

- i. Employees identified below are subject to alcohol and/or drug testing on a random basis.

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1. Safety-Sensitive Positions:

In order to ensure a safe working environment, promote employee efficiency, protect MBCG from liability, and protect MBCG's assets, other employees, and the public, individuals employed in safety-sensitive positions shall be subject to testing on a random basis.

2. Commercial Drivers:

Individuals employed as operators of vehicles or equipment requiring the Commercial Driver's License (CDL) shall be subjected to additional alcohol and drug testing on a random basis as required by 49 Code of Federal Regulations Part 382, as amended.

- ii. Tests will be ordered on a random, unannounced basis from the pool of CDL and safety-sensitive employees throughout the year.
- iii. A random number table or computer-based random number generator will be used to select employees for random drug and alcohol testing, thereby allowing each employee an equal chance of being tested each month.
- iv. The percentage of employees in the CDL random testing pool to be selected for breath alcohol testing and the percentage of employees in the CDL random testing pool to be selected for substance abuse testing shall be determined by the United States Department of Transportation and the Federal Motor Carrier Safety Association's Random Testing Rates, published annually.
- v. At least 2-10% of safety-sensitive employees per department will be selected and tested for alcohol and drugs each year.
- vi. An employee's name will remain in the pool after being selected so that every employee will have an equal chance of being tested each time selections are made. Therefore, it is possible that any employee who is randomly selected may be randomly selected again during the same year.
- vii. Any employee with a confirmed positive drug or alcohol test will be removed from his/her position to a substance abuse professional for assessment at the employee's expense. A confirmed positive drug or alcohol test will result in termination of employment.
- viii. The County Administrator or Risk Management or Human Resources shall ensure that all departments comply with all reporting and recordkeeping requirements of 49 Code of Federal Regulations Part 382,

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as amended.

h. **After-Care Testing:**

- i. Employees in safety-sensitive positions returning to work from an approved, self-referred treatment program for drug or alcohol abuse will be subject to frequent, unannounced urine and/or breath testing following return to duty. Follow up testing will be performed for a period of one (1) to five (5) years with a minimum of six (6) tests to be performed during the first year following return to duty.
- ii. Employees who re-enter MBCG's work force following self-referral to a drug or alcohol treatment program or facility must agree to a re-entry agreement with MBCG. The agreement may include, but is not limited to:
 - 1. A release to work statement from the substance abuse professional;
 - 2. A negative test for alcohol and/or drug use;
 - 3. An agreement to submit to unannounced and frequent follow-up testing for a period of one (1) to five (5) years with a minimum of six (6) tests to be administered during the first year following return to duty;
 - 4. Statement of work-related behaviors;
 - 5. An agreement to follow specified after-care requirements with the understanding that violations of the re-entry agreement shall be grounds for termination of employment.

i. **Return to Duty Testing:**

Employees who are absent from work on any leave for thirty (30) days or longer shall be tested for drugs immediately prior to returning to work and before performing any job duties. Any employee who screens/tests positive for alcohol or drugs will be in violation of this policy and may be subject to further disciplinary action, including termination. Refusal of an employee to submit to the screen/test will also be cause for disciplinary action, including termination.

j. **Consent Testing:**

When any employee has consented to a drug or alcohol test, the consent must be signed by the employee and a supervisor from the employee's

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department or an authorized person from the Human Resources Department or Risk Management Department. This consent shall also include consent to the release of the test results to MBCG's Human Resources or Risk Management Department. Absent such signature, the testing provider will note on the form the individual's refusal and attempt to go forward with the test. Continued refusal by the employee constitutes failure to obey an order to submit to the test and is grounds for disciplinary action, including termination. The failure of an employee to provide a urine specimen within two hours of the request at the test site is tantamount to a refusal. Refusal by an applicant to sign the consent form and/or be tested shall be grounds for rejection of the application.

6. Testing Procedures

- a. Testing for the presence of alcohol and/or drugs may be conducted by analysis of breath, urine, hair, saliva, and/or blood.
- b. In any situation in which the employee has been ordered to be tested or tests positive and the employee refuses assistance in leaving the building or property or insists on leaving in his/her own vehicle, supervisors and/or department heads must document the situation and, depending on the circumstances, contact the Macon Bibb County Sheriff's Office non-emergency line and provide the sheriff's department with the employee's name, vehicle description, and license plate number. However, if the employee is extremely agitated, violent or is making threats of violence, leaves the premises in a MBCG vehicle, or if it is believed that the employee has violated the law, 9-1-1 must be called.
- c. The drug and/or alcohol analysis may test for alcohol or a controlled substance which could impair an employee's ability to safely or effectively perform the function of his/her job. Controlled substance means any drug listed in 21 U.S.C. 812 and other federal regulations and any "illegal drugs" as defined in the Definitions section of this policy. Generally, these are drugs which have a high potential for abuse. Such drugs include, but are not limited to prescription medications, heroin, cocaine, morphine and its derivatives, P.C.P., methadone, barbiturates, amphetamines, marijuana, and other cannabinoids.
- d. Lab reports and/or test results will not be placed in the employee's personnel record. This information will remain in a separate medical record that will be securely kept under the control of Risk Management/Human Resources. Test results will only be released by Risk Management/Human Resources to MBCG officials on a strictly need-to-know basis, to the tested individual upon request, and other persons required by law. Such release may also occur in case of the following events:

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- i. The information is compelled by law or by judicial or administrative process, including disciplinary proceedings;
- ii. The information is needed as evidence in a disciplinary hearing involving the subject employee;
- iii. The information is needed to determine eligibility for employee benefits, including sick leave, disability pension, retirement benefits.
- iv. The information is needed by medical personnel for the diagnosis or treatment of the patient who is unable to authorize disclosure.

7. Drug/Alcohol Screen Analysis

a. Alcohol:

- i. For purposes of this prohibition, an employee shall be deemed to be “under the influence” of alcohol where a blood alcohol content by weight of alcohol exists in the person’s blood exceeding .04 percent.
- ii. An employee may be found to be “under the influence” where blood alcohol content by weight of alcohol exists in the person’s blood is less than the foregoing amounts and other competent evidence shows job performance or employee safety to be affected.
- iii. Pursuant to Georgia’s Workers’ Compensation laws, if the amount of alcohol in the employee’s blood within three (3) hours of the time of an alleged accident, as shown by chemical analysis of the employee’s blood, urine, breath, or other bodily substance, is 0.08 grams or greater, there shall be a rebuttable presumption that the accident and injury or death were caused by the consumption of alcohol. The amount of any alcohol found in the employee’s blood at any time after the accident, however, may disqualify the employee from workers’ compensation benefits.
- iv. If any amount of marijuana or a controlled substance as defined in this policy, paragraph (4) of Code Section 16-13-21, Code Sections 16-13-25 through 16-13-29, Schedule I-V, or 21 C.F.R. Part 1308 is in the employee’s blood within eight (8) hours of the time of the alleged accident, as shown by chemical analysis of the employee’s blood, urine, breath, or other bodily substance, there shall be a rebuttable presumption that the accident and injury or death were caused by the ingestion of marijuana or the controlled substance. The amount of any marijuana or controlled substance in the employee’s blood discovered during any time frame, however, may disqualify the employee from workers’ compensation benefits.
- v. No CDL employee shall perform his/her safety-sensitive job functions within eight (8) hours after using alcohol.

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- vi. Alcohol screening will be conducted using a federally approved testing device operated by a trained technician. An initial screening will be conducted first. If the initial test indicates an alcohol concentration of 0.02 or greater, a second test will be performed to confirm the results of the initial test. The confirmatory test will be performed using a federally approved evidential breath testing device operated by a trained breath alcohol technician.
- vii. Any tested employee with a confirmed alcohol concentration of 0.02 or greater but less than 0.04 will be removed from duty for 24 hours without pay. This removal from duty will be treated as an unexcused absence subject to termination of employment for a second offense. A confirmed alcohol concentration of 0.04 or greater shall constitute a positive alcohol test in violation of this policy and a violation of the federal requirements for safety sensitive employees set forth in 49 C.F.R. Part 654.

b. **Drugs:**

- i. The drug screen analysis will include those agents that most frequently are the drugs of abuse. The list will be subject to review and modification. Each drug screening may include a test for the following illicit narcotics or drugs:
 - 1. Amphetamines (Benzedrine, Dexedrine, Methamphetamine);
 - 2. Barbiturates (Seconal, Phenobarbital, Pentobarbital);
 - 3. Benzodiazepines;
 - 4. Cannabinoid metabolites (Marijuana, Hashish, THC);
 - 5. Opiate derivatives (Heroin, Morphine, Codeine);
 - 6. Cocaine metabolites (Benzoylecgonine, Ecgonine, Crack);
 - 7. Phencyclidine (P.C.P.);
 - 8. In any instance in which there is reason to believe an employee is abusing a substance other than what is listed above, MBCG reserves the right to test for additional drugs under its own authority using standard laboratory testing protocols.
- ii. To ensure accuracy and fairness of the testing program, all testing will be conducted by medical personnel.
- iii. Two types of drug tests may be employed: initial screening tests, often referred to as color tests; and confirmatory tests. Initial screening (color) tests are designed to distinguish negative from presumptive positive samples. Confirmatory tests positively identify a drug or metabolite when preliminary or field tests indicate their presence. Drug screening

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technologies will include gas chromatography/mass spectrometry (GC/MS) analysis and may include other tests as follows:

1. Enzyme Immunoassay (EIA);
 2. Radioimmunoassay (RIA);
 3. Fluorescence Polarization Immunoassay (FPIA);
 4. Intoxilyzer Model 5000 (for alcohol);
 5. Field tests such as Abuscreen ® Assays.
- iv. Thresholds have been established which set the limit at which a drug test may be called positive. Specimens containing the drug or metabolite below the threshold are identified as “negative.” All specimens identified as positive on the initial test shall be confirmed.
1. The initial and confirmatory drug test cutoff values promulgated by the Department of Health and Human Services (Federal Register, Vol. 53, No. 69, published April 11, 1988), and as amended, are hereby adopted as the cutoff values for this policy. These tests levels are subject to change by the Department of Health and Human Services as advances in technology or other considerations warrant identification of these substances at other concentrations.
 2. Threshold levels specified by the reagent manufacturers will be used for drugs or compounds not listed in the Federal Register, or specified by law.

c. **Acceptable Laboratories:**

- i. Only laboratories currently certified to meet Subpart C of Mandatory Guidelines for Federal Workplace Drug Testing Programs (53 F.R. 11986) may conduct confirmatory drug tests.
 - ii. Chain of custody procedures will be followed and documented.
 - iii. Specimens found to be positive will be maintained (frozen) for one year, unless the laboratory is otherwise directed.
 - iv. An inadvertent failure to comply with a requirement of this protocol which does not render the test result unreliable shall not prevent MBCG from imposing disciplinary action, including termination, against the employee.
- d. All positive drug results will be interpreted by a physician approved by MBCG as a Medical Review Officer (MRO) before the results are reported to MBCG.

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The MRO will make reasonable efforts to ascertain whether there may be a legitimate medical explanation for any positive test result by requesting information from the employee prior to administering the test.

- e. Upon notification of a verified positive result for drugs, the employee may request that the remaining portion of his/her (original) split specimen undergo a second confirmation test at his/her expense at a different DHHS laboratory. If the test conducted at the employee's request is negative for the presence of drugs, a third test may be made at MBCG's sole expense at a separate DHHS facility of its choosing. The results of the third facility will be determinative. If the results from the third facility are negative, all prior positive tests will be disregarded and shall not be the basis for any disciplinary or adverse action.
- f. The method of collecting, storing, and testing the split sample will be consistent with the procedures set forth in 49 C.F.R. Part 40, as amended. The employee's request for a split sample test must be made to the MRO within 72 hours of notice of the original sample verified result. Requests after 72 hours will only be accepted if the delay in the request was due to documented facts beyond the control of the employee.
- g. MBCG will make reasonable efforts to notify the employee of a positive test within five (5) days from the date it receives the test results. Because the results of a breath alcohol test are immediately available, this provision will not apply to alcohol tests conducted in such a manner.
- h. In the event that it is not reasonable under the circumstances to conduct an alcohol test based on a breath test, MBCG reserves the right to test for the presence of alcohol by a blood, or other, test analysis. If this procedure is used, MBCG will make reasonable efforts to notify the employee of a positive test within five (5) days from the date it receives the test results. An MRO will not be used when a blood test for alcohol is administered.

8. Program Administration:

- a. Risk Management/Human Resources is responsible for the overall administration of the program.
- b. Responsibilities are to:
 - i. Prepare a report outlining the number of tests given; the basis of the tests (random, pre-employment, post-accident, etc.); the results on a summary basis; and, the costs incurred in the program.
 - ii. Provide Department Heads with the names of employees selected at random to be tested.
 - iii. Assist Department Heads in the administration of MBCG's Drug-Free Workplace Program.

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- iv. Assist employees who voluntarily come forward to get assistance with any substance abuse problems.
- v. Receive the results of all drug tests and maintain the information in a secure file for a minimum of five (5) years. When positive results are received, notify the appropriate Department Head. The Department Head will provide the person tested with an opportunity to explain the results prior to personnel action being taken.
- vi. Designate collection sites and perform other actions necessary to implement this policy.

9. Consequences for Violation of this Policy:

- a. One of the goals of the alcohol and drug-free workplace program is to encourage employees to voluntarily seek help with alcohol and/or drug problems. If, however, an individual violates this policy, the consequences are serious.
- b. MBCG will allow all applicants and employees who test positive for alcohol and/or drugs the opportunity to explain the test results prior to taking an adverse action.
- c. If an applicant tests positive for drugs and/or alcohol and is unable to provide a reasonable explanation for the result, MBCG will withdraw the offer of employment or, in the case of applicants applying for safety-sensitive positions, MBCG will not offer employment.
- d. Violation of this policy may result in severe disciplinary action, including discharge for a first offense at MBCG's sole discretion.

10. Confidentiality:

All reports of test results for drugs and alcohol, searches, or any employee referral to or participation in an EAP program or treatment program for addictive disorders will be maintained in strict confidence. Any person authorized to have access to such confidential information who, without authorization, discloses it to another person shall have engaged in gross misconduct and shall be subject to severe disciplinary action up to and including termination of employment.

The confidentiality of such information shall not apply to any use by or communication to the office of the MBCG Attorney, or where the information is relevant to the MBCG's defense in an administrative or civil action. Such information may also be disclosed to the extent required by any federal, state, or local law, statute, ordinance or regulation. All personal health information shall be maintained in accordance with the Health Insurance Portability and Accountability Act (HIPAA); access to such information shall be limited to individuals who need the information to process claims under a

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MBCG program, or to individuals for whom the employee has signed a release form and presented the form to the administrator of such program.

11. Shared Responsibility:

- a. A safe and productive alcohol and drug-free workplace is achieved through cooperation and shared responsibility. Both employees and management have important roles to play.
- b. All employees are required to not report to work or be subject to duty while their ability to perform job duties is impaired due to on- or off-duty use of alcohol or other drugs.
- c. In addition, employees are encouraged to:
 - i. Be concerned about working in a safe environment.
 - ii. Support fellow workers in seeking help.
 - iii. Request information from Human Resources or Risk Management on alcohol and/or drug rehabilitation programs in the community.
 - iv. Report dangerous behavior to their supervisor.
- d. Supervisors' responsibilities are to:
 - i. Assist Human Resources and Risk Management in informing employees of the Alcohol and Drug-Free Workplace Policy.
 - ii. Observe employee performance.
 - iii. Work with Human Resources and/or Risk Management to investigate reports of dangerous practices.
 - iv. Document negative changes and problems in performance and to counsel employees as to expected performance improvement.
 - v. Refer employees to Human Resources or Risk Management for information on alcohol and/or drug rehabilitation programs in the community.
 - vi. Clearly state consequences of policy violations.

12. Training:

- a. In an effort to ensure that department heads, managers, supervisors, the Mayor, and members of the County Commission continue to be informed and educated on MBCG's alcohol and drug policies, updated training will be required every three (3) years.
- b. Any employee hired or promoted into a supervisory position must receive training on this policy within one (1) year of hire or promotion.

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- c. All employees will receive training on this policy upon hire at orientation.

13. **Communicating the Alcohol and Drug-Free Workplace Policy:**

- a. All employees will receive a written or electronic copy of this policy.
- b. This policy will be reviewed in orientation sessions with new employees.
- c. All employees will receive an update of this policy annually.
- d. Employee education about the dangers of alcohol and drug use and the availability of help will be provided to all employees.

**MACON BIBB CONSOLIDATED GOVERNMENT
ALCOHOL AND DRUG-FREE WORKPLACE POLICY**

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ACKNOWLEDGEMENT

I hereby acknowledge that I have received the Macon Bibb Consolidated Government Alcohol and Drug-Free Workplace Policy. I have carefully and thoroughly read this Policy. I agree, without reservation, to follow the policy and procedures. I understand I may be required to submit to an alcohol and/or drug test. I also understand that failure to comply with the policy and procedures is the basis for discipline, including termination.

DATE_____
EMPLOYEE'S SIGNATURE_____
EMPLOYEE'S NAME (PRINTED)



**Administrative Services Committee Meeting
9/28/2016 1:20 PM
Records Retention Presentation Update**

Department:	Central Services - Facilities
Presenter:	Takiyah A. Douse
Caption:	Approve continued in-house Records Retention and Management and utilize SPLOST VII funding designated for Records Retention to renovate and expand the former License and Inspections Building at 1815 Marvin Griffin Road for Records Retention or another suitable location.
Background:	Augusta is required by statute to retain Government and legal documents. The length of time they are required to be retained varies, but many must be held in perpetuity. The quantity of documents stored increases constantly.
Analysis:	The current Records Retention Center is over capacity and additional storage is required to meet our legal obligation. The proposed solution provides for current and future needs for approximately 15 years.
Financial Impact:	Financial Impact of this project is \$2,150,000 in SPLOST VII set aside for this purpose.
Alternatives:	No action means that critical records and documents will not be properly cataloged and stored.
Recommendation:	Approve continued in-house Records Retention and Management and utilize SPLOST VII funding designated for Records Retention to renovate and expand the former License and Inspections Building at 1815 Marvin Griffin Road for Records Retention or another suitable location.
Funds are Available in the Following Accounts:	Funds are available in SPLOST VII

REVIEWED AND APPROVED BY:

Finance.

Procurement.

Law.

Administrator.

Clerk of Commission
