

IMMOKALEE  
WATER & SEWER  
DISTRICT

DRUG FREE  
WORKPLACE  
POLICY

# DRUG FREE WORKPLACE

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**SECTION ONE**

**HUMAN RESOURCE DEPARTMENT**

81996, Haynsworth, Baldwin, Johnson and Harper  
Jacksonville and Tampa Florida

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(Revised 12/96)

# **DRUG-FREE WORKPLACE POLICY**

## **I. PURPOSE**

As a part of its commitment to safeguard the health of its employees, to provide a safe place for its employees to work, and to promote a drug-free community, the District has established this policy on the use or abuse of alcohol and drugs by its employees. This policy is set up pursuant to the Drug-free workplace program under Florida's Workers' Compensation Law. Substance abuse, while at work or otherwise, seriously endangers the safety of employees, as well as the general public, and creates a variety of workplace problems including increased injuries on the job, increased absenteeism, increased health care and benefit costs, increased theft, decreased morale, decreased productivity, and a decline in the quality of products and services provided. We have established this policy to detect users and remove abusers of drugs and alcohol. It is also our policy to prevent the use and/or presence of these substances in the workplace and to assist employees in overcoming any dependence on drugs and/or alcohol in accordance with the following guidelines.

As mentioned above, we are implementing this policy pursuant to the drug-free workplace program under the Florida Workers' Compensation Act. This provides that an employee who is injured in the course and scope of his employment and tests positive on a drug or alcohol test, forfeits his eligibility for medical and indemnity benefits under Florida's Workers' Compensation. (Refusal to take a drug or alcohol test will result in the employee forfeiting his eligibility for medical and indemnity benefits under Florida's Workers' Compensation and automatic termination of the employee.)

The purpose of this policy is to communicate our position on drugs and alcohol in the workplace and provide guidance for the implementation of related programs.

## **II. SCOPE**

All employees are covered by this policy and as a condition of employment, are required to abide by the terms of this policy.

Because of state or federal laws and regulations, certain employees may be subject to additional requirements.

## **III. DRUG-FREE WORKPLACE POLICY DISSEMINATION**

- A. Immokalee Water & Sewer District will give a general one-time notice to all employees that it is a condition of employment for employees to refrain from reporting to work or working with the presence of drugs or alcohol in his or her body and that a testing program is being implemented. Sixty days will elapse between the notice and the actual drug testing. (Any employer who has had a drug testing program in place prior to July 1, 1990, is not required to provide a 60 day notice period.) (Appendix A includes a bulletin board notice informing employees of the policy.)
- B. Prior to testing, all employees or job applicants for employment will be given a

summary of the Drug-Free Workplace policy, a summary of the drugs which may alter or affect a drug test and a list of local employee assistance programs and local drug rehabilitation programs.

- C. A notice of drug testing will be included with all vacancy announcements for those positions where drug testing is required (want ads, job postings, etc.). A notice of our drug testing policy will also be posted in an appropriate and conspicuous location on the District's premises and copies of the policies will be made available for inspection during regular business hours by the employee or job applicant in the District's personnel office.

#### **IV. DEFINITIONS**

The definitions of words and terms as set forth in Florida Statutes, ' 440.102 (1996), and the Florida Agency for Health Care Administration, Drug-Free Workplace Standards (Fla. Adm. Code, Chapter 59A-24) will apply to the terms used in this policy.

#### **V. ALCOHOL USE PROHIBITIONS**

- A. The consumption of alcohol on the District's property or while on duty is prohibited and will result in disciplinary action, up to and including discharge.
- B. Off-duty abuse of alcohol which adversely affects an employee's job performance is prohibited and may result in disciplinary action up to and including discharge.
- C. The personal possession (i.e., on the person, or in a desk or locker) of alcohol on Employer property or on duty will result in disciplinary action, up to and including discharge.
- D. The possession of alcohol in a personal vehicle on Employer property is not prohibited provided such possession is in compliance with this policy as well as federal, state, and local laws.
- E. It is against the Employer's policy to report to work or to work under the influence of alcohol.
- F. For the purpose of this policy, an employee is presumed to be under the influence of alcohol if a blood test or other scientifically acceptable testing procedure shows a forensically acceptable positive quantum of proof of alcohol usage.
- G. An employee who is perceived to be under the influence of alcohol will be removed immediately from the workplace and may be evaluated by medical personnel, if reasonably available. The District will take further action (i.e., removal from service, referral to counseling, and/or disciplinary action) based on medical information, work history, and other relevant factors. The determination of what action is appropriate in each case rests solely with the District.

- H. Refusal to submit to, efforts to tamper with, or failure to pass an alcohol test will result in disciplinary action, up to and including discharge; in accordance with this policy and the Employee Manual.
- I. Employees arrested for an alcohol-related incident must immediately notify their supervisor, or the Director of the arrest if the incident occurs:
  - 1. During scheduled working hours, or while on call.
  - 2. While operating an Employer vehicle on the District's or personal business.
  - 3. While operating a personal vehicle on the District's business.Failure to notify an appropriate Employer official may result in disciplinary action, up to and including discharge.
- J. The District may suspend employees without pay under this policy pending the results of an alcohol test or investigation. Any unused accrued vacation time or personal time may be used during this investigation. Upon receipt of a negative result, employee will be paid for time lost during suspension.

## **VI. DRUG USE PROHIBITIONS**

- A. The use, sale, purchase, possession, manufacture, distribution, or dispensation of drugs on the District's property or during working time is against Employer policy and is cause for immediate discharge.
- B. It is also against Employer policy to report to work or work under the influence of drugs. This includes prescription drugs which induce an unsafe mental or physical state. Employees who violate this policy are subject to disciplinary action up to and including discharge.
- C. For the purpose of this policy, an employee is presumed to be under the influence of drugs if a urine test, blood test or other accepted testing procedure shows a forensically acceptable positive quantum of proof of drug usage. (Appendix B contains a detailed procedure for supervisors to follow for employees on drugs or alcohol, problem indicators for supervisors and a drug abuse investigation report.)
- D. Prescription drugs may also affect the safety of the employee or fellow employees or members of the public. Therefore, any employee who is taking any prescription drug which might impair safety, performance, or any motor functions must advise his supervisor before reporting to work under such medication. A failure to do so may result in disciplinary action. If the District determines that such use does not pose a safety risk, the employee will be permitted to work. If such use impairs the employee's ability to safely or effectively perform his or her job, the District may temporarily reassign the employee or grant a leave of absence during the period of

treatment. Improper use of "prescription drugs" is prohibited and may result in disciplinary action. Prescription medication must be kept in its original container if such medication is taken during working hours or on Employer property.

- E. Refusal to submit to or efforts to tamper with a drug test will result in discharge.
- F. The District may suspend employees without pay under this policy pending the results of a drug test or investigation.

## **VII. TESTING**

### **A. Testing of Applicants**

- 1. All applicants considered final candidates for a position will be tested for the presence of illegal drugs as a part of the application process. (Job applicant packet.)
- 2. The District may allow the job applicant to begin work pending the results of the drug test. If the test result is positive the applicant will be subject to immediate discharge.
- 3. Any job applicant who refuses to submit to drug testing, refuses to sign the consent form, fails to appear for testing, tampers with the test, or fails to pass the preemployment drug test will be ineligible for hire.

### **B. Reasonable Suspicion Drug Testing**

- 1. Employees must submit to a drug test if reasonable suspicion exists to indicate that their ability to perform work safely or effectively may be impaired. "Reasonable suspicion testing" means drug testing based on a belief that an employee is using or has used drugs in violation of the Employer's policy, drawn from those facts in light of experience. Among other things, such facts and inferences may be based upon:
  - a. Observable phenomena while at work, such as direct observation of drug use or of the physical symptoms or manifestations of being under the influence of a drug.
  - b. Abnormal conduct or erratic behavior while at work, or a significant deterioration in work performance.
  - c. A report of drug use, provided by a reliable and credible source.
  - d. Evidence that an individual has tampered with a drug test during his employment with the current employer.
  - e. Information that an employee has caused, or contributed to, or been

involved in an accident while at work. An accident is when there is injury which requires a report to the Division of Workers' Compensation or a third party injury requiring medical treatment.

- f. Evidence that an employee has used, possessed, sold, solicited, or transferred drugs while working or while on the Employer's premises or while operating the Employer's vehicle, machinery, or equipment.
2. If a supervisor believes reasonable suspicion exists, the supervisor should report his or her findings and observations to the Director. Upon approval by the Director or an officer of the District, the employee will be asked to submit to a drug test and sign a form acknowledging his or her consent. (Employee packet.) Factors which substantiate cause to test should be documented by the supervisor on the Substance Abuse Investigation Report Form. This must be done as soon as possible but no later than 7 days after the employee has been drug tested. (Appendix B-7.) A copy of this report will be given to the employee upon request and the original documentation will be kept confidentially by the Employer and retained for at least 1 year.

C. Random Testing

1. Selection of employees for random testing will be conducted through the use of a random number generator or other neutral selection process.
2. Random testing will be conducted twelve times a year, selecting two employees at a time. If an employees name does not come up under random testing, for two years, they will be required to be tested, at the next testing time. A Board member will be designated as coordinator for testing dates and employee selection.
3. When an employee is selected for random testing, both the employee and the employee's supervisor will be notified on the day the test is scheduled to occur.
4. Testing may be postponed only when an employee's supervisor and the Director agree that there is a compelling need for deferral (i.e., the employee is out on leave or is on travel).
5. An employee whose random drug test is deferred will be subject to an unannounced test within sixty days.

D. Routine Fitness for Duty

An employee will submit to a drug test if the test is conducted as part of a routinely scheduled employee fitness-for-duty medical examination that is part of the District's established policy or that is scheduled routinely for all members of an employment classification or group, and approved as a prerequisite by the District.

E. Follow-up Testing

If the employee in the course of employment enters an employee assistance program for drug related problems, or an alcohol and drug rehabilitation program, the employee must submit to unannounced drug testing as a follow-up to such program, at least once a year for two years after completion of the program. Advance notice of follow-up testing will not be given to the employee being tested. If an employee voluntarily enters a program, the Employer, at its option, may not require follow-up testing.

F. Return to Duty Testing

An employee who does not pass a drug/alcohol test cannot return to work unless:

1. The employee passes a drug/alcohol test administered under this rule.
2. The employee will keep his/her current rate of pay.
3. The employee agrees to participate in and successfully complete any alcohol or drug evaluation, counseling or rehabilitation program required by the District (See Appendix D). Participation will be required for a minimum of six weeks, with attendance reports from counselor required.
4. After two consecutive negative weekly results, driving privileges and position can be reinstated. After four consecutive weekly negative results, random testing will be reduced to every two weeks. After two consecutive bi-weekly results, random testing will be reduced to monthly testing. After two consecutive negatively monthly tests, random testing will be reduced to every six months.
5. Participation in a treatment program, be it either voluntary or pursuant to this section, will not excuse work rule violations or poor performance and an employee may be disciplined or discharged for such offenses or failure to perform.
6. Random return-to-duty testing will be required for a period of at least two (2) years.
7. A second positive test at any time will result in immediate termination for cause

G. Additional Testing

Additional testing may also be conducted as required by applicable state or federal laws, rules, or regulations or as deemed necessary by the District.

H. Refusal to Test

Employees who refuse to submit to a drug test forfeit their eligibility for all workers' compensation medical and indemnity benefits and will be terminated from employment or otherwise disciplined as provided in this policy.

## VIII. TESTING PROCEDURE

A. The District may test for any or all of the following drugs:

**Alcohol** (booze, drink, distilled spirits, wine, malt beverages, beer, intoxicating liquors, alcoholic beverages, etc.)

**Amphetamines** (Binhetamine, Desoxyn, Dexedrine)<sup>2</sup>

**Cannabinoids** (marijuana, hashish, hash, hash oil, pot, joint, roach, spleaf, grass, weed, reefer)

**Cocaine** (coke, blow, nose candy, snow, flake, crack)

**Phencyclidine** (PCP, angel dust, hog)

**Methaqualone**

**Opiates** (opium, dover's powder, paregoric, parepectolin)

**Barbiturates** (Phenobarbital, Tuinal, Amytal)

**Benzodiazophines** (Ativan, Azene, Kionopin, Dalmone, Diozepam, Halcion, Librium, Poxipam, Restoril, Serax, Transene, Valium, Vertron, Xanax)

**Methadone** (Dolophine, Methadose)

**Propoxyphene** (Darvocet, Darvon N, Dolene)

Metabolites of any substances listed above.

B. Job applicants and employees required to submit to drug or alcohol testing will be asked to sign a Consent To Testing form. (See Employee Packet, Attachment A.)

C. Because of the potential adverse consequences of positive test results on employees, the District will employ a very accurate testing program. All specimens will be analyzed by a highly qualified independent laboratory which has been selected by the District, licensed and approved by the Agency for Health Care Administration using criteria established by the U.S. Department of Health and Human Services. (Appendix E)

D. Applicants and employees will be given an opportunity prior to and after testing to provide any information to the Medical Review Officer which they consider relevant to the test including listing all drugs they have taken recently, listing prescribed drugs and explaining the circumstances of the use of these drugs in writing or other relevant medical information. This medical information is confidential and should be given only to the MRO. (Appendix M.) Applicants and employees will be provided with a notice of the most common medication by brand name or common name, as well as the chemical name which may alter or affect a drug test. Finally, applicants and employees will receive a summary of this policy and a list of local employee assistance programs and local drug rehabilitation programs. (Appendix I.)

E. An employee injured at the workplace and required to be tested will be taken to a medical facility for immediate treatment of injury. If the injured employee is not at a designated collection site, the employee will be transported to one as soon as it is medically feasible and specimens will be obtained. If it is not medically feasible to move the injured employee, specimens will be obtained at the treating facility under the procedures set forth in this policy and transported to an approved testing laboratory.

F. No specimens will be taken prior to the administration of emergency medical care. Once this condition has been satisfied, an injured employee must release to the employer the results of any tests conducted for the purpose of showing the presence of alcohol or drugs.

G. Body Specimens

Urine, hair, or blood will be used for the initial testing for drugs and alcohol. Samples shall be collected with due regard to the privacy of the individual providing the sample.

H. Cost of Testing

The District will pay the cost of initial and confirmation drug tests, which it requires of employees and job applicants. An employee or job applicant will pay the cost of any additional drug tests not required by the District.

I. Collection Site

1. The District will utilize a collection site designated by an approved laboratory which has all necessary personnel, materials, equipment, facilities, and supervision to provide for the collection, security, chain-of-custody procedures, temporary storage and shipping or transportation of urine and blood specimens to an approved drug testing laboratory. The District may also utilize a medical facility as a collection site which meets the applicable requirements. (Appendix E is a list of approved labs.)
2. Security of the collection site, chain of custody procedures, privacy of the individual, collection control, integrity and identity of the specimen, and transportation of the specimen to the laboratory will meet state and federal rules and guidelines.

J. Collection Site Personnel

A specimen in an amount sufficient for two (2) drug tests will be taken or collected by:

1. A physician, a physician's assistant, a registered professional nurse, a licensed practical nurse, a nurse practitioner, or a certified paramedic who is present at the scene of the accident for the purpose of rendering emergency service or treatment; or
2. A qualified person employed by a licensed or certified laboratory who has the necessary training and skills for the assigned tasks.

K. Testing Laboratory

1. The laboratory used to analyze initial or confirmation drug specimens will be licensed and approved by the Agency for Health Care Administration using criteria established by the United States Department of Health and Human Services. (*See Appendix E and see Section 6*).
2. All laboratory security, chain of custody, transporting and receiving of specimens, specimen processing, retesting, storage of specimens, instrument calibration and reporting of results will be in accordance with state laws and rules established by the Florida Agency for Health Care Administration or the United States Department of Health and Human Services.
3. The laboratory will provide assistance to the MRO, the employee or job applicant for the purpose of interpreting any positive confirmed test results.

L. Initial tests.

Initial tests will be an immunoassay except that the test for alcohol will be an enzyme oxidation methodology. The following cutoff levels will be used when screening specimens to determine whether they are positive or negative for these drugs or metabolites. All levels equal to or exceeding the following will be presumptively positive and submitted for confirmation testing:

Alcohol	05g/dL%
Amphetamines	1000ng/mL
Cannabinoids	50ng/mL
Cocaine	300ng/mL
Phencyclidine	25ng/mL
Methaqualone	300ng/mL
Opiates	300ng/mL
Barbiturates	300ng/mL
Benzodiazepines	300ng/mL

Synthetic Narcotics:  
 Methadone 300g/mL  
 Propoxyphene 300ng/mL

M. Confirmation tests.

All specimens identified as positive on the initial test will be confirmed using gas chromatography/mass spectrometry (GC/MS) except that alcohol will be confirmed using gas chromatography. All confirmation will be done by quantitative analysis. All levels equal to or exceeding the following will be reported as positive:

Alcohol	.10g/dL%
Amphetamines	500ng/mL
Cannabinoids	15ng/mL
Cocaine	150ng/mL
Phencyclidine	25ng/mL
Methaqualone	150ng/mL
Opiates	300ng/mL
Barbiturates	150ng/mL
Benzodiazepines	150ng/mL
Synthetic Narcotics:	
Methadone	150ng/mL
Propoxyphene	150ng/mL

## IX. TEST RESULTS

A. Reporting results

1. The laboratory will report all test results (both positive and negative) to the Medical Review Officer (MRO). The Medical Review Officer is employed by the District and not the drug testing laboratory.
2. The laboratory will report as negative all specimens which are negative on the initial test or negative on the confirmation test. Only specimens confirmed positive on the confirmation test will be reported positive for a specific drug. A report will not disclose the presence or absence of any drug other than a specific drug and its metabolites listed in this policy.
3. The laboratory will transmit results in a manner designed to ensure confidentiality of the information. The laboratory and MRO will ensure the security of the data transmission and restrict access to any data transmission, storage and retrieval system.
4. The MRO will verify that positive and negative test results were properly

analyzed and handled according to Agency for Health Care Administration rules. The MRO will have knowledge of substance abuse disorders and shall also be knowledgeable in the medical use of prescription drugs and in the pharmacology and toxicology of illicit drugs. The MRO shall evaluate the drug test result(s), which is reported by the lab, verify by checking the chain-of-custody form that the specimen was collected, transported and analyzed under proper procedures, and determine if any alternative medical explanations caused a positive test result. This determination by the MRO can include conducting a medical interview with the individual, review of the individual's medical history or the review of any other relevant bio-medical factors. The MRO shall also review all medical records made available by the tested individual. The MRO may request the laboratory to provide quantitation of test results.

5. The MRO will contact the employee or job applicant of a confirmed positive test result within 3 days of receipt of the test results, and inquire as to whether prescription or over-the-counter medications could have caused the positive test results. The MRO will follow the procedures set forth in the Agency for Health Care Administration Drug-Free Workplace Standards for providing the applicant or employee the opportunity to present relevant information regarding the test results. After following the appropriate procedures, the MRO will notify the Employer of any verified, confirmed positive test results.
6. Within five working days after receipt of a positive confirmed test result from the MRO, the Employer will inform the employee or job applicant in writing of such positive test results, the consequences of such results, and the options available to the employee or job applicant, including the opportunity to contact the MRO and the right to file an administrative or legal challenge. (Appendix F-1 and F-2.)
7. The Employer will provide to the employee or job applicant upon request a copy of the test results.
8. Unless otherwise instructed by the District in writing, all written records pertaining to a given specimen will be retained by the drug testing laboratory for a minimum of 2 years. The drug testing laboratory shall retain (in properly secured refrigerated or frozen storage) for a minimum period of 210 days, all confirmed positive specimens. Within this period an Employer, employee, job applicant, MRO or the Department of Health and Rehabilitative Services may request in writing that the laboratory retain the specimen for an additional period of time. If no such request is received, the laboratory may discard the specimen.
9. Within seven days for all tests based on reasonable suspicion, the District will detail in writing the circumstances which formed the basis of the determination that reasonable suspicion existed to warrant the testing. A copy

of the report will be given to the employee upon request (Appendix B-7). The original report will be kept confidential and retained by the employer for at least one year.

B. Challenges to Test Results

1. Within five working days after receiving notice of a positive confirmed test result, the employee or job applicant may submit information to the MRO explaining or contesting the test results, or to the Employer explaining why the result does not constitute a violation of this policy. The employee or job applicant will be notified in writing if the explanation or challenge is unsatisfactory. The written notice will be given to the employee or job applicant within fifteen days of receipt of the explanation or challenge, and will include why the employee's or job applicant's explanation is unsatisfactory, along with the report of positive results. All such documentation will be kept confidential and will be retained for at least one year.
2. When an employee or job applicant undertakes an administrative or legal challenge to the test results, he or she will be responsible to notify the Employer and laboratory in writing of such challenge and such notice shall include reference to the chain-of-custody specimen identification number. After such notification, the sample shall be retained by the laboratory until the case or administrative appeal is settled.
3. The Agency for Health Care Administration, the District or the MRO detecting a false positive error shall immediately notify the laboratory and the Department of any such error.

C. Employee Protection

1. During the 180 day period after written notification of a positive test result, the employee will be permitted by the District to have a portion of the specimen retested, at the employee's expense. Any additional tests, however, must be conducted on the same specimen as the original test. The retesting must be done at a licensed and approved laboratory. The second laboratory must test at equal or greater sensitivity for the drug in question as the first laboratory. The first laboratory which performed the test for the Employer will be responsible for the transfer of the portion of the specimen to be retested, and for the integrity of the chain-of-custody for such transfer.
2. The drug testing laboratory will not disclose any information concerning the health or mental condition of the tested employee.
3. The District will not request or receive from the testing facility or the MRO any information concerning the personal health, habit or condition of the injured employee including, but not limited to, the presence or absence of

- HIV antibodies in the injured worker's body fluids.
4. The District will not discharge, discipline, refuse to hire, discriminate against, or request or require rehabilitation of an employee or job applicant on the sole basis of a positive test result that has not been verified by a confirmation test and by a Medical Review Officer.
  5. The District will not discharge, discipline or discriminate against an employee solely upon the employee's voluntarily seeking treatment, while under the employ of the Employer, for a drug-related problem, if the employee has not previously tested positive for drug use, entered an employee assistance program for drug-related problems, or entered an alcohol and drug rehabilitation program. The District retains the right to select an EAP or drug rehabilitation program when the District pays the cost of the employee's participation in the program.
  6. All authorized treatment of an injured employee prior to reasonable notice of the denial of benefits will be paid to the health care provider by the carrier or self-insurer. Prior to denying medical and indemnity benefits based upon a positive test result, the Employer's workers' compensation carrier or self-insurer will give reasonable notice to all affected health care providers that payment for treatment, care and attendance provided to the employee after a future date certain will be denied. (Appendix F-3.)

## **X. EMPLOYEE ASSISTANCE PROGRAM (*SEE* APPENDIX I)**

## **XI. INVESTIGATION**

- A. To ensure that illegal drugs and alcohol do not enter or affect the workplace, the District reserves the right to search all District vehicles, containers, lockers, or other items on the District's property in furtherance of this policy. Individuals may be requested to display personal property for visual inspection upon the District's request.
- B. Searches will be conducted only where the District has reason to believe that the employee has violated the District's substance abuse policy.
- C. Failure to consent to a search or display personal property for visual inspection will be grounds for discharge or denial of access to the District's premises.
- D. Searches of an employee's personal property will take place only in the employee's presence. All searches under this policy will occur with the utmost discretion and consideration for the employee involved.
- E. Individuals may be required to empty their pockets, but under no circumstances will an employee be required to remove articles of clothing or be physically searched.
- F. Because the primary concern is the safety of its employees and their working

environment, the District will not normally prosecute the employee in matters involving illegal substances. However, the District will turn over all confiscated drugs to the proper law enforcement authorities. Further, the District reserves the right to cooperate with or enlist the services of proper law enforcement authorities in the course of any investigation.

## **XII. ARREST OR CONVICTION FOR DRUG-RELATED CRIME**

- A. Employees arrested for drug related incidents must immediately notify their supervisor or the Director. If an employee is arrested for or convicted of a drug-related crime, the District will investigate all of the circumstances, and Employer officials may utilize the drug-testing procedure if cause is established by the investigation. In most cases, an arrest for a drug-related crime constitutes reasonable suspicion of drug use under this policy. The following procedures will apply:
1. During investigation, an employee may be placed on leave without pay. After the investigation is completed, the leave may be converted to a suspension or the employee may be reinstated depending upon the facts and circumstances.
  2. If convicted of a drug-related crime, an employee will be terminated.
  3. If an employee has been suspended and the case has been dismissed or otherwise disposed of, the District will make a determination as to whether to authorize the employee's return to work based on its investigation. If the employee is authorized to return to work, the employee must agree in writing to unannounced, periodic testing for a period of up to 2 years.
  4. Because of the seriousness of such situations, the District reserves the right to alter or change its policy or decisions on a given situation depending upon its investigation and the totality of the circumstances.
- B. As a condition of employment, an employee will notify the District's Manager of Human Resources of any criminal drug statute conviction for a violation which occurred on the District's premises. The employee must give notice to the District within five days of such conviction.

## **XIII. CONFIDENTIALITY**

All information, interviews, reports, statement memoranda and drug test results, written or otherwise, received by the District as a part of this testing program are confidential communications. Unless authorized by state laws, rules or regulations, the District will not release such information without a written consent form signed voluntarily by the person tested. This right to confidentiality does not apply when the information is used by the District as a defense in a civil or administrative matter. (Appendix H is a model consent form.)

#### **XIV. RECORDS AND TRAINING**

- A. The District will maintain a current resource file of providers of employee assistance including alcohol and drug abuse programs, mental health providers, and various other persons, entities or organizations designed to assist employees with personal or behavioral problems (Appendix I). The District will inform employees and new hires about various employee assistance programs that the Employer may have available. The information shall be made available at a reasonable time convenient to the District and shall be discreetly reviewed by the employees.
- B. The District will provide an annual education course to assist the employees in identifying personal and emotional problems which may result in the misuse of alcohol or drugs. This course will also include a presentation on the legal, social, physical and emotional consequences of the misuse of alcohol or drugs. (*See Appendix J.*)

#### **XV. CONCLUSION**

The District's drug-free workplace policy has been prepared so as not to conflict with public policy and, further, not to be discriminatory or abusive. A drug-free workplace should be the goal of every employer in America. Drug and alcohol testing is only one of the several steps that must be taken to achieve this objective. When incorporated into a comprehensive anti-drug effort, testing can go a long way in combating drug and alcohol abuse in the workplace.

THIS POLICY SUPERSEDES ANY INFORMATION PROVIDED TO APPLICANTS AND/OR EMPLOYEES, EITHER WRITTEN OR ORAL. THE EMPLOYER RESERVES THE RIGHT TO CHANGE THE PROVISIONS OF THIS POLICY AND TESTING PROGRAM AT ANY TIME IN THE FUTURE.

81996, Haynsworth, Baldwin, Johnson and Harper  
Jacksonville and Tampa, Florida

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## BULLETIN BOARD NOTICE

### IMMOKALEE WATER & SEWER DISTRICT

#### Drug-Free Workplace Policy

IMMOKALEE WATER & SEWER DISTRICT conducts its business with the highest possible degree of safety and efficiency. Because of this IMMOKALEE WATER & SEWER DISTRICT, on June 15, 1997, will implement its new Drug-Free Workplace Policy. The Drug-Free Workplace Policy includes drug and alcohol testing of job applicants and employees. The types of testing are listed on the Drug-Free Workplace Summary statement.

It will be a condition of employment for employees to refrain from reporting to work or working with the presence of drugs or alcohol in his or her body.

A summary of our Drug-Free Workplace Policy is posted on the bulletin board.

If you have any questions, please contact your supervisor.

## Drug-free Workplace Policy

### Summary

In a commitment to safeguard the health of our employees and to provide a safe working environment for everyone, we have established a Drug-free Workplace Policy for the District. This policy is implemented pursuant to the Drug-free workplace program requirements under Florida Statute '440.102 and the rules of the Department of Labor and Employment Security, Division of Workers' Compensation. Under this policy it is a condition of employment for employees to refrain from reporting to work or working with the presence of drugs or alcohol in his or her body.

The essential parts of this policy are:

1. The District prohibits the illegal use, possession, sale, manufacture, or distribution, of drugs, alcohol, or other controlled substances on its property. It is also against the District's policy to report to work or to work under the influence of drugs or alcohol. Any employee who is taking any prescription drug which might impair safety, performance, or any motor functions must advise his or her supervisor before reporting to work under such medication.
2. Drug Testing of Applicants:
  - a. Applicants considered final candidates for a position will be tested for the presence of drugs as part of the application process. The Employer may elect to test for only certain job classification.
  - b. Applicants will be asked to sign the Consent To Pre-employment form. If an applicant refuses, he or she will not be considered for employment, and the employment application process will be terminated.
  - c. If an applicant's test is confirmed positive, the applicant will not be considered for employment at that time and will be informed that he or she has failed to meet employment standards.
3. Testing of Employees:
  - a. Reasonable-suspicion Drug Testing: Employees will be tested when there is a reasonable suspicion that an employee is using or has used drugs.
  - b. Random Testing: Employees will be subject to random drug testing.
  - c. Routine Fitness for Duty Testing: Employees will be drug tested if the test is conducted as part of a routine fitness-for-duty medical examination.
  - d. Follow-up Testing: All employees who have been determined to have used drugs or alcohol and are permitted by the District to return to work will be subject to unannounced follow-up drug tests.
  - e. Return to Duty Testing: Employees who have failed a drug test and are permitted by the District to return to work must pass a drug test and will be subject to unannounced drug tests.
  - f. Additional Testing: Additional testing may also be conducted as required by applicable state or federal laws, rules, or regulations or as deemed necessary by the District.
4. Alcohol and Drug Use Prohibitions:
  - a. The use, sale, purchase, possession, distribution, or dispensing of drugs or alcohol on duty or on Employer property is cause for immediate discharge.
  - b. It is against Employer policy to report to work or work under the influence of alcohol or drugs. This includes prescription drugs which induce an unsafe mental or physical state. Employees who violate this policy are subject to discipline up to and including discharge.
  - c. For the purpose of this policy an individual is presumed to be under the influence of alcohol or drugs if a confirmed alcohol or drug test is positive.
  - d. The District may suspend employees without pay under this policy pending the results of a drug test or investigation.
5. All information, interviews, reports, statement memoranda and drug test results, written or otherwise, received by the District as part of this drug testing program are confidential communications. Unless authorized by state laws, rules or regulations, the District will not release such information without a written consent form signed voluntarily by the person tested.
6. A Drug Use Information form, which is a confidential report, may be filled out by job applicants and employees both before and after being drug tested. This form permits individuals to provide to the Medical Review Officer (MRO) a list of all prescription and

non-prescription they are currently using or have used in the last month, as well as any other information they consider relevant to the test.

7. Prior to testing, the Job Applicant and Employee will be given a list of the most common medications by brand name or common name and chemical name which may later or affect a drug test. This information is on the Drug Testing/Chain-of-Custody/HRS Form 1806 or will be provided to you.
8. Any applicant who refuses to submit to the pre-employment drug test will be ineligible for hire.
9. Any employee who refuses to submit to a drug test may be terminated from employment or otherwise disciplined by the District. An injured employee who refuses to submit to a drug test, or has a positive confirmation test, in addition to the above, forfeits his eligibility for all workers' compensation medical and indemnity benefits.
10. A list of names, addresses, and telephone numbers of employee assistance programs and local drug rehabilitation programs will be provided to employees and applicants along with this summary statement. This information will be provided to any person upon request.
11. A Job applicant or employee who receives a positive confirmed drug test result may contest or explain the result to the Medical Review Officer or the Employer within 5 days after written notification of the positive test result. If your explanation or challenge is unsatisfactory, a written explanation will be given to you. If the person's challenge is unsatisfactory to the MRO or the District, they may contest the test results pursuant to the law.
12. A job applicant or employee has the responsibility of notifying the drug testing laboratory of any administrative or civil action brought pursuant to Chapter 440, Florida Statutes. The lab will maintain the sample until the case or administrative appeal is settled.
13. The following is a list of all drugs (described by brand name, common name and/or chemical name) for which the Employer may test. Also listed and identified are those most common medications which may alter or affect a drug test:  
  
Alcohol (booze, drink, distilled spirits, wine, malt beverages, beer, intoxicating liquors, alcoholic beverages, etc.)  
Amphetamines (Binhetamine, Desoxyn, Dexedrine)  
Cannabinoids (marijuana, hashish, hash, hash oil, pot, joint, roach, spleaf, grass, weed, reefer)  
Cocaine (coke, blow, nose candy, snow, flake, crack)  
Phencyclidine (PCP, angel dust, hog)  
Methaqualone  
Opiates (opium, dover's powder, paregoric, parepectolin)  
Barbiturates (Phenobarbital, Tuinal, Amytal)  
Benzodiazophines (Ativan, Azene, Kionopin, Dalmone, Diozepam, Halcion, Librium, Poxipam, Restoril, Serax, Transene, Valium, Vertron, Xanax)  
Methadone (Dolophine, Methadose)  
Propoxyphene (Darvocet, Darvon N, Dolene)  
  
Metabolites of any substances listed above.
14. Job applicants and employees have the right to confidentially consult the MRO for technical information regarding prescription and nonprescription medication and may contest or explain the test result to the MRO both before and after being tested.
15. To ensure that drugs and alcohol do not enter or affect the workplace, the District reserves the right to search all vehicles, containers, lockers, or other items on Employer property in the furtherance of this policy. Individuals may be requested to display personal property for visual inspection upon Employer request.
16. Failure to consent to search or display for visual inspection will be grounds for termination or reason for denial of access to Employer premises by any others.
17. Searches of employee's personal property will take place only in the employee's presence. All searches under this policy will occur with the utmost discretion and consideration for the employees involved.
18. Details of this policy may be obtained from your supervisor.
19. The contents of these drug and alcohol guidelines are presented as statements of the District's current policy and may be changed and updated by the District. These guidelines are not intended to create a contract between the District and any employee. Nothing in these guidelines binds the District to a specific or definite period of employment or to any specific policies, procedures, actions, rules, or terms and conditions of employment
20. Employees, as a condition of employment, are required to abide by these guidelines.

## APPENDIX B

### PROCEDURE FOR SUPERVISORS TO FOLLOW FOR EMPLOYEES WHO ARE BELIEVED TO BE UNDER THE INFLUENCE OF DRUGS OR ALCOHOL OR TO HAVE CONSUMED DRUGS OR ALCOHOL ON COMPANY PREMISES

There may be instances when Supervisors have reasonable cause to believe that an employee has consumed drugs and/or alcohol on the District's premises or has reported to work under the influence of one or both and request a blood or urine screen even though the employee is not believed to be impaired. The drug/alcohol screen is not intended to prove impairment but to confirm the presence of the drug or alcohol. The District's Policy does not require impairment in order to prove a violation; drugs and alcohol are controlled substances and their use on or off Employer property can violate our Policy, whether or not impairment is suspected. If you have reason to consider requiring a drug or alcohol screen, use the following process to validate your reasons for considering testing:

1. Escort the employee personally to your office or other private area. Have another supervisor present as a witness, if at all possible.
2. Confront the employee with your reasons for suspecting drug and/or alcohol policy violations. Use the attached checklist to question and document information for the employee. Complete the form. From the form and your conversation with the employee determine whether or not you believe the employee has either consumed drugs or alcohol on Employer premises or during work duty or is under the influence of either.
3. If after you have discussed this matter with your supervisor and you both conclude that the employee does not appear to be under the influence of alcohol or drugs, including controlled substances and prescription drugs, and the employee is able to perform regular work duties, have him/her return to the work unit and resume work.
4. If you and your supervisor believe that the employee is under the influence of or has consumed drugs and/or alcohol on the District's premises or during work duty, report this to the Director. Upon approval, advise the employee that our rules may have been violated and that he/she is being requested to provide urine or blood sample for testing. Personally drive or have someone drive the employee (with the other Supervisor still present) to an approved drug testing site.
5. Require the employee to read and sign a consent form, available at the testing location, agreeing to the urinalysis or blood test. Advise the employee that refusal to sign the form or give a specimen will be treated as a refusal to obey a direct order, and will constitute grounds for termination. Once the specimen is taken and initialled by the employee, suspend him/her, pending test results and a review of the circumstances.

6. If the employee is considered to be impaired, make arrangements to have the employee taken home. Do not permit him/her to leave the premises or drive alone. If the employee refuses any assistance, make sure the witnessing Supervisor can verify that the employee refused such assistance. If the employee cannot control his/her actions and departs without assistance, you must call the local police or law enforcement agency to inform them of the employee's condition and refusal of assistance immediately. Tell the law enforcement agency the employee's name, and a description of the automobile including the license number.
  
7. After any drug test which is based on reasonable suspicion, the supervisor should complete the Drug Abuse Investigation Report. This must be done within seven (7) days of the test.

## **PROBLEM INDICATORS FOR SUPERVISORS**

### 1. Pattern of Declining Overall Performance/Productivity

- \* decreased work efficiency (rate and accuracy) as compared to past satisfactory performance
- \* inconsistent work patterns
- \* avoidance of assignments or responsibilities

### 2. Pattern of Poor or Declining Attitude Toward Job

- \* isolation from co-workers and/or supervisors
- \* increasingly negative comments about supervisors /employees/management organization
- \* blaming others for changes in personal work performance
- \* increased incidents of hostility toward fellow workers not previously shown
- \* increased need for disciplinary action
- \* decreased interest in the job
- \* persistent requests for job transfer
- \* overreaction to real or imagined criticism

### 3. Lapses in Concentration

- \* difficulty recalling instructions
- \* "forgetting" usual routine
- \* drowsiness or sleeping on the job
- \* declining accuracy of decision
- \* pattern of poor or slow reactions

4. Reduced Work Hours

- \* increased absenteeism, especially on Mondays, after holidays, and after paydays
- \* increased tardiness or unexplained absences from the work station
- \* increased or frequent use of sick leave
- \* increasingly longer lunch hours, and increased length and/or number of work breaks
- \* early departures

5. Reduced Productivity

- \* increased incidents of equipment damage
- \* decreased quality of work produced
- \* missed deadlines
- \* decreased quality control standards as the work shift progresses
- \* increased time necessary to produce same amount of work

6. Health Problems

- \* increased or frequent complaints about health
- \* increased use of medical benefits
- \* increased sick days
- \* noticeable change in physical/personal appearance (e.g., weight gain, weight loss, poor grooming)

7. Safety/Accident Record

- \* increased accidents or injuries
- \* increased risk-taking behavior
- \* failure to use safety equipment

8. Behavior Changes

- \* increased aggressiveness or defensiveness
- \* decreased ability to receive constructive criticism
- \* encounters with police
- \* calls from creditors, letters of indebtedness
- \* frequent mood changes or mood swings
- \* increased isolation from other employees



## APPENDIX C

### VI. DRUG AND ALCOHOL USE PROHIBITIONS<sup>3</sup>

- A. The use, sale, purchase, possession, manufacture, distribution, or dispensation of drugs or alcohol on the District's property or during working time is against Employer policy and is cause for immediate discharge.
- B. It is also against Employer policy to report to work or work under the influence of drugs or alcohol. This includes drugs which include an unsafe mental or physical state. In the case of a first-time violation of this policy, (without evidence of use, sale, possession, distribution, dispensation or purchase of drugs or alcohol on the District's property or while on duty):
1. The employee will receive a written warning and be referred to the Employee Assistance Program (EAP).
  2. The employee must contact the Employer's EAP within 24 hours and participate in professional drug and/or alcohol evaluation, counseling, and/or rehabilitation as prescribed by the EAP. The employee must cooperate with the EAP staff in carrying out its responsibility to coordinate the evaluation, counseling, treatment, and follow-up process.
  3. Employees who do not cooperate with the EAP, who refuse to participate in, or who do not satisfactorily complete a drug or alcohol abuse assistance or rehabilitation program, or who subsequently violate this policy, will be discharged.
  4. The employee may require in-patient or out-patient treatment. If in-patient treatment is required, the employee will be placed on leave status without pay during his or her absence.
- C. For the purpose of this policy, an employee is presumed to be under the influence of drugs or alcohol if a urine test, blood test or other accepted testing procedure shows a forensically acceptable positive quantum of proof of drug usage. (Appendix B contains a detailed procedure for supervisors to follow for employees on drugs or alcohol, problem indicators for supervisors and a drug abuse investigation report.)
- D. Prescription drugs may also affect the safety of the employee or fellow employees or members of the public. Therefore, any employee who is taking any prescription drug which might impair safety, performance or any motor functions must advise his supervisor before reporting to work under such medication. A failure to do so may result in disciplinary action. If the District determines that such use does not pose a safety risk, the employee will be permitted to work. If such use impairs the employee's ability to safely or effectively perform his or her job, the District may temporarily reassign the employee or grant a leave of absence during the period of treatment.

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<sup>3</sup> 



## APPENDIX D

### LAST CHANCE TESTING AGREEMENT

I acknowledge violation of the District's substance abuse policy and/or controlled substance testing policy. I agree to maintain abstinence from any controlled substance unless medically prescribed. In addition, I agree to participate in and successfully complete any substance abuse evaluation, counseling, or rehabilitation program required by the District. I understand that failure to successfully participate in or complete such a program will result in discharge.

Further, I agree, when requested by the District's officials, to submit to periodic, unannounced drug or alcohol tests for a period of two years from \_\_\_\_\_ to \_\_\_\_\_.

I understand that refusal or failure to submit to a drug or alcohol test or a positive finding on that test shall be cause for immediate discharge from my employment for failure to meet the District's standards.

\_\_\_\_\_  
Employee (Print Name)

\_\_\_\_\_  
Social Security Number

\_\_\_\_\_  
Employee's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Witness's Signature

\_\_\_\_\_  
Date

## APPENDIX E

Agency for Health Care Administration - Approved Labs

Alabama Reference Laboratory, Inc.  
543 S. Hull Street  
P.O. Box 4600  
Montgomery, AL 36103-4600  
(205) 263-5745  
Charles Thomas Huber, PH.D., Director  
License Number T027

American Medical Laboratories, Inc.  
14225 Newbrook Drive  
P.O. Box 10841  
Chantilly, VA 22021  
(703) 802-6900  
Anthony G. Costantino, Ph.D., Director  
License Number: T015

American Medical Laboratories, Inc.  
8549 Parkline Boulevard  
Orlando, FL 32809  
(407) 857-8188  
Evan Holzberg, Ph.D., Director  
License Number: T024

Columbia/Cedars Medical Center  
Toxicology Dept  
1400 N.W. 12th Avenue  
Miami, FL 33136  
(305) 325-5587  
William Smotherman, M.D., Director  
License Number T001

Diagnostic Referral Laboratory  
University of Florida, pathology Dept.  
P.O. Box 100275, Room D-617  
Gainesville, FL 32610  
(904) 392-2699  
Bruce Goldberger, Ph.D., Director  
License Number T012

Diagnostic Services, Inc.  
4048 Evans Avenue, Suite 302  
Fort Myers, FL 33901  
(813) 936-5446  
Robert White, Sr., Ph.D., Director  
License Number: T011  
Laboratory Corporation of America

Doctors Laboratory, Inc.  
2906 Julia Drive  
P.O. Box 2658  
Valdosta, GA 31604-2658  
(912) 244-4468  
Byron Davis, M.D., Ph.D., Director  
License Number T026

Lab One, Inc.  
8915 Lenexa Drive  
Overland Park, KS 66214  
(913) 888-1770  
Michael A. Peat, Ph.D., Director  
License Number T029

MedTox Laboratories, Inc.  
402 W. County Road D  
St Paul, MN 55112  
(612) 636-7466  
D. Gary Hemphill, PH.D., Director  
License Number T019

Corning Clinical Laboratory  
Toxicology Department  
One Malcolm Avenue  
Teterboro, NJ 07608  
(201) 393-5600  
Joseph E. O'Brien, M.D., Director  
License Number T007

Corning Clinical Laboratory  
Toxicology Department  
5850 W. Cypress  
Tampa, FL 33607  
(813) 289-5400  
Jack Perman, Ph.D., Director  
License Number T013

Laboratory Corporation of America  
5610 Lasalle Street  
Tampa, FL 33607  
(813) 289-5227  
W. Allen Taylor, Ph.D., Director  
License Number T009  
(National Laboratory Center, Inc.)

4022 Willow Lake Boulevard  
Memphis, TN 38118  
(800) 526-6339  
Jack E. Lin, Ph.D., Director  
License Number: T006

Corning Nichols Institute  
7470 Mission Valley Road  
San Diego, CA 92108  
(619) 686-3200  
Robert K. Latven, Ph.D., Director  
License Number: T025

PharmChem Laboratories, Inc.  
1505-A O'Brien Drive  
Menlo Park, CA 94025  
(415) 328-6200  
David Armbruster, Ph.D., Director  
License Number: T014

Compuchem Laboratories, Inc.  
1904 Alexander Drive  
Research Triangle Park, NC 27709  
(919) 572-6900  
Paula S. Childs, Ph.D., Director  
License Number: T005  
SmithKline Beecham Clinical Laboratories

3175 Presidential Drive  
Atlanta, GA 30340  
(404) 452-1590  
R. H. Barry Sample, Ph.D., Director  
License Number: T017

SmithKline Beecham Clinical Laboratories  
801 E. Dixie Avenue  
Leesburg, FL 34749  
(904) 787-9006  
Michael Schaffer, Ph.D., Director  
License Number: T002

Toxicology Testing Services, Inc.  
5426 N.W. 79th Avenue  
Miami, FL 33166  
(305) 593-2260  
Terry D. Hall, PH.D., Director  
License Number: T003

Clinical Reference Laboratory  
8433 Quivira Road  
Lenexa, KS 66215  
(800) 445-6917  
Stan Kammerer, Ph.D., Director  
License Number: T035

Revised Tuesday, December 10, 1996

## APPENDIX F

### Notification of Positive Test Results

#### Employee

Date: (Must be within 5 working days after receiving drug test results.)

Dear (Employee's Name):

This is to inform you that you have tested positive on your recent drug test. Your (urine or blood) was tested twice by the laboratory to insure the accuracy of the test. You have five (5) working days to contest or explain the test result to our Medical Review Officer, (Name, Address, Telephone Number of MRO). You may submit information explaining or contesting the test results to the MRO or explain why the result does not constitute a violation of the policy. You will be given a written explanation of the results of your appeal along with a report of the positive results.

As you are well aware of from our Drug-Free Workplace Policy, which was distributed to all employees, you are hereby (state disciplinary action). If you were injured on the job, you have forfeited your medical and indemnity benefits under the Florida Workers' Compensation Act.

You also have the right to appeal this decision to the Director as well as to take any administrative or legal challenge to this decision. This includes the right, within the next 180 days, to have a portion of the sample re-analyzed, at your expense, at another qualified laboratory chosen by you.

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Employer Official

(CONTINUED)

Notification of Positive Test Results

**Job Applicant**

Date: (Must be within 5 working days after receiving drug test results.)

Dear (Applicant's Name):

This is to inform you that you have tested positive on your recent drug test. Your (urine or blood) was tested twice by the laboratory to insure the accuracy of the test. You have five (5) working days to contest or explain the test result to our Medical Review Officer, (Name. Address. Telephone Number of MRO). You may submit information explaining or contesting the test results to the MRO or explain why the result does not constitute a violation of the policy. You will be given a written explanation of the results of your appeal along with a report of the positive results.

Because of the positive test result, in accordance with our Drug-Free Workplace Policy, you are not eligible for hire.

You have the right to take any administrative or legal challenge to this decision. This includes the right, within the next 180 days, to have a portion of the sample re-analyzed, at your expense, at another qualified laboratory chosen by you.

---

Employer Official

(CONTINUED)

NOTIFICATION OF DENIAL OF MEDICAL INDEMNITY BENEFITS  
TO EMPLOYERS' WORKERS' COMPENSATION CARRIER OR SELF-INSURER

Date:

(Should be sent to your workers' compensation carrier as soon as you receive written test results and decide to deny medical and indemnity benefits.)

Employee's Name:

Employee's SSN:

Date of Accident:

Dear Workers' Compensation Carrier:

This is to advise you that the above-named employee who suffered an on-the-job accident has tested positive for drugs pursuant to our Drug-Free Workplace Policy. The sample collected from the employee at the time of the accident was tested twice by the laboratory and verified by an independent Medical Review Officer in order to ensure the accuracy of the test. A copy of the test results are enclosed for your files.

We are requesting that you give a reasonable notice, immediately, to all affected health care providers that the payment for treatment, care and attendance provided to the above-employee will be denied. After notice is given, we expect, and are requesting, that you deny payment for any other medical or indemnity benefits to the above-named employee.

Pursuant to Florida Statutes ' 440.102(5), you are required to give "reasonable notice" to all affected health care providers that payment for treatment, care and attendance provided to the above-named employee after a future date certain will be denied. Thank you very much for your assistance in this matter.

Sincerely,

---

Employer Official

## APPENDIX G

### X. EMPLOYEE ASSISTANCE PROGRAM (EAP)

- A. The District regards its employees as its most important asset. Accordingly, the District maintains an EAP which provides help to employees who suffer from alcohol or drug abuse and other personal or emotional problems. Employees with such problems should seek confidential assistance from the EAP or other community resources before drug or alcohol problems lead to disciplinary action.
- B. Information about a self-referred employee's contact with the EAP is confidential and will not be disseminated without the employee's permission. Further, an employee is not subject to discipline solely as a result of a self-referral for treatment.
- C. However, use of the EAP or other community resources will not shield the employee from appropriate disciplinary action for violations of the Districts substance abuse policy, if such violations come to the Districts attention through other means such as reports from employees or outsiders, direct observation, testing, etc.
- D. Employees referred to the EAP as a result of a violation of the Districts substance abuse policy may continue their employment with the District provided:
  - 1. They contact the EAP and strictly adhere to all the terms of treatment and counseling prescribed by the EAP;
  - 2. Immediately cease any and all use of alcohol and/or drugs; and
  - 3. Consent in writing to periodic unannounced testing for a period of up to 2 years after returning to work, or completion of any rehabilitation program, whichever is later.
- E. In keeping with the Districts need for safety and security, the Human Resources Department will determine whether the District should grant a leave of absence or reassign an employee following a positive test, or during the period of evaluation, treatment, or counseling.
- F. Participation in any evaluation, treatment, or counseling program will be at the employee's expense unless the employee is entitled to such benefits under the terms of the District's group health plan or by other available benefits. Time lost from work for such a program will be without pay.
- G. The District's EAP meets the requirements of Florida Statutes ' 449,192 et seq. The EAP is a program capable of providing expert assessment of employee's personal concerns; confidential and timely identification services with regard to employee drug abuse; referrals of employees for appropriate diagnosis, treatment and assistance; and follow up services for employees who participate in the program or require monitoring after returning to work. Whenever the Districts EAP provides diagnostic or treatment services, these services shall in all cases be provided by service providers pursuant to Florida Statutes ' 397.311(28).

**APPENDIX H**

**CONSENT FORM: Release of confidential drug test**

I \_\_\_\_\_, hereby give my consent to release all documents in the possession of the laboratory and the Medical Review Officer concerning the results of my drug test including all chain of custody documents, laboratory records, analysis reports, forms and correspondence in the possession of \_\_\_\_\_ and  
(Name of Laboratory) (Name of Medical Review Officer)

to \_\_\_\_\_. The purpose of the disclosure is \_\_\_\_\_.

The duration of the consent is \_\_\_\_\_.

\_\_\_\_\_  
Employee authorizing release of information

\_\_\_\_\_

# APPENDIX I

## Glades, Lee, Hendry, and Collier County Area Drug and Alcohol

### Treatment Programs and Employee Assistance Programs

<u>Name</u>	<u>Address</u>	<u>Telephone Number</u>
A Kind Ear	2900 14th Street N # 7 Naples, FL 33940	(941) 434-7886
Age Link of Lee County	Lee County	(941) 433-3900
Alternative Chemical Dependency Consult. Ser.	3071 Terrace Avenue Naples, FL 33942	(941) 775-2119
Charter Glade Behavioral Health System	3550 Colonial Boulevard FL Myers, FL 33912	(941) 939-0403
Cloisters At Cape Coral	2001 Del Prado Blvd. Cape Coral, FL 33904	(941)772-5115 (800) 226-7822
David Lawrence Center	6075 Golden Gate Parkway Naples, FL 33999	(941) 435-0460
Employee Assistance Services	3400 Tamiami Trail N., Suite 204 Naples, FL 33940	(941) 435-0400
Glades County Health and Rehabilitative Ser.	Glades County	(941) 983-6171
Hendry County Health and Rehabilitative Ser.	Hendry County	(941) 675-5100
Hendry-Glades Mental Health Clinic, Inc.	601 W. Alverdez Clewiston, FL 33440	(941) 983-1423
Hoefling, Michael B., P.A.	213 Airport Road South Naples, FL 33942	(941)263-1161
Project Help. Inc.	Collier County	(941) 262-7227
Serenity Center, Inc.	2716 Michigan Avenue FL Myers, FL 33901	(941) 334-2994
Southwest Florida Addiction Services	2101 McGregor Boulevard FL Myers, FL 33901	(941) 332-6937
Willough at Naples, The	9001 Tamiami Trial E. Naples, FL 33962	(941) 775-4500 (800) 252-3508

Note: The District does not recommend or endorse any of the above programs. This list is provided for your information.

## APPENDIX J

### TRAINING PROGRAMS

Employees must be provided an annual education course to assist them in identifying personal and emotional problems which may result in the misuse of alcohol or drugs. The course will include a presentation on the legal, social, physical, and emotional consequences of the misuse of alcohol or drugs.

The following are sources for training materials and courses which may be used for the annual education course.

<u>Name</u>	<u>Address</u>	<u>Telephone Number</u>
Employee Assistance Services	3400 Tamiami Trail N., Suite 204 Naples, FL 33940	(941) 435-0400
NCADI Publications (Catalog)	P.O. Box 2345 Rockville, MD 20852	(800) 729-6686 (301) 468-2600
National Institute on Drug Abuse	3500 Fishers Lane Rockville, MD 20857	(800) 843-4971 (Helpline)
Florida Alcohol and Drug Abuse Association (FADAA) Clearinghouse	1286 N. Paul Russell Road Tallahassee, FL 32301	(904) 878-2196
Drug Abuse and Initiatives	340 Kingsland Street Nutley, New Jersey 07110	(201) 235-5875
Corporation Against Drug Abuse	1010 Wisconsin Avenue, Suite 250 Washington, D.C. 20007	(202) 338-0654
Florida Department of Law Enforcement	P.O. Box 1485 Tallahassee, FL 32302	(904) 488-1340
BNA Communications, Inc.	9439 Key West Avenue Rockville, MD 20850-3596	(800) 233-6067
Business and Legal Reports, Inc.	64 Wall Street Madison, CT 06443-9988	

Various local drug and alcohol rehabilitation and EAP programs. (See Appendix I)

## DRUG-FREE WORKPLACE TRAINING RECORD

- I. Date: \_\_\_\_\_
- II. Title of Course or Material: \_\_\_\_\_
- III. Instructor: \_\_\_\_\_
- IV. Summary of Training:

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Date	Name	Verification (Super. Initial)
_____	_____	_____
_____	_____	_____
_____	_____	_____

**APPENDIX K**  
**RESOURCE FILE**

The District must keep a current resource file of providers of employee assistance including alcohol and drug abuse programs, and mental health providers which are designed to assist employees with personal or behavioral problems.

The Department of Health and Rehabilitative services publishes a directory of such services. The District should keep a copy of this Directory as its current resource file. A copy may be obtained from:

Florida Alcohol and Drug Abuse Association, Inc.  
1030 E. Lafayette Street, Suite 100  
Tallahassee, Florida 32301-4559  
(904) 878-2196  
(904) 878-6584 (FAX)

**NOTICE TO  
JOB APPLICANTS AND EMPLOYEES:**

**The Immokalee Water & Sewer District  
conducts drug testing  
as provided by the  
Florida Workers' Compensation  
Law.**

**SECTION THREE**  
**JOB APPLICANT PACKET**

# Drug-Free Workplace Policy

## Job Applicant Acknowledgment of Receipt and Understanding

I hereby acknowledge that I have received and read a summary of the District's Drug-free Workplace policy, a summary of the drugs which may alter or affect a drug test and a list of local Employee Assistance Programs and drug and alcohol treatment programs. I have had an opportunity to have all aspects of this material fully explained. I understand that the full text of the Drug-free Workplace policy is available upon request. I also understand that I must abide by the policy as a condition of employment, and any violation may result in disciplinary action up to and including discharge.

Further, I understand that during my employment I may be required to submit to testing for the presence of drugs or alcohol. I understand that submission to such testing is a condition of employment with the District, and disciplinary action up to and including discharge may result if: 1) I refuse to consent to such testing, 2) I refuse to execute all forms of consent and release of liability as are usually and reasonably attendant to such examinations, 3) I refuse to authorize release of the test results to the District, 4) the tests establish a violation of the District's drug-free workplace policy, 5) I otherwise violate the policy. **If I am injured in the course and scope of my employment and test positive, I forfeit my eligibility for medical and indemnity benefits under the Workers' Compensation Act upon exhaustion of the remedies provided in Florida Statute '440.102(5).**

I ALSO UNDERSTAND THAT THE DRUG-FREE WORKPLACE POLICY AND RELATED DOCUMENTS ARE NOT INTENDED TO CONSTITUTE A CONTRACT BETWEEN THE DISTRICT AND ME.

THE UNDERSIGNED FURTHER STATES THAT HE OR SHE HAS READ THE FOREGOING ACKNOWLEDGMENT AND KNOWS THE CONTENTS THEREOF AND SIGNS THE SAME OF HIS OR HER OWN FREE WILL.

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Signature

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Date

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Witness

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Date

## Drug-free Workplace Policy

### Summary

In a commitment to safeguard the health of our employees and to provide a safe working environment for everyone, we have established a Drug-free Workplace Policy for the District. This policy is implemented pursuant to the Drug-free workplace program requirements under Florida Statute '440.102 and the rules of the Department of Labor and Employment Security, Division of Workers' Compensation. Under this policy it is a condition of employment for employees to refrain from reporting to work or working with the presence of drugs or alcohol in his or her body.

The essential parts of this policy are:

1. The District prohibits the illegal use, possession, sale, manufacture, or distribution, of drugs, alcohol, or other controlled substances on its property. It is also against the District's policy to report to work or to work under the influence of drugs or alcohol. Any employee who is taking any prescription drug which might impair safety, performance, or any motor functions must advise his or her supervisor before reporting to work under such medication.
2. Drug Testing of Applicants:
  - a. Applicants considered final candidates for a position will be tested for the presence of drugs as part of the application process. The Employer may elect to test for only certain job classification.
  - b. Applicants will be asked to sign the Consent To Pre-employment form. If an applicant refuses, he or she will not be considered for employment, and the employment application process will be terminated.
  - c. If an applicant's test is confirmed positive, the applicant will not be considered for employment at that time and will be informed that he or she has failed to meet employment standards.
3. Testing of Employees:
  - a. Reasonable-suspicion Drug Testing: Employees will be tested when there is a reasonable suspicion that an employee is using or has used drugs.
  - b. Random Testing: Employees will be subject to random drug testing.
  - c. Routine Fitness for Duty Testing: Employees will be drug tested if the test is conducted as part of a routine fitness-for-duty medical examination.
  - d. Follow-up Testing: All employees who have been determined to have used drugs or alcohol and are permitted by the District to return to work will be subject to unannounced follow-up drug tests.
  - e. Return to Duty Testing: Employees who have failed a drug test and are permitted by the District to return to work must pass a drug test and will be subject to unannounced drug tests.
  - f. Additional Testing: Additional testing may also be conducted as required by applicable state or federal laws, rules, or regulations or as deemed necessary by the District.
4. Alcohol and Drug Use Prohibitions:
  - a. The use, sale, purchase, possession, distribution, or dispensing of drugs or alcohol on duty or on Employer property is cause for immediate discharge.
  - b. It is against Employer policy to report to work or work under the influence of alcohol or drugs. This includes prescription drugs which induce an unsafe mental or physical state. Employees who violate this policy are subject to discipline up to and including discharge.
  - c. For the purpose of this policy an individual is presumed to be under the influence of alcohol or drugs if a confirmed alcohol or drug test is positive.
  - d. The District may suspend employees without pay under this policy pending the results of a drug test or investigation.
5. All information, interviews, reports, statement memoranda and drug test results, written or otherwise, received by the District as part of this drug testing program are confidential communications. Unless authorized by state laws, rules or regulations, the District will not release such information without a written consent form signed voluntarily by the person tested.
6. A Drug Use Information form, which is a confidential report, may be filled out by job applicants and employees both before and after being drug tested. This form permits individuals to provide to the Medical Review Officer (MRO) a list of all prescription and non-prescription

they are currently using or have used in the last month, as well as any other information they consider relevant to the test.

7. Prior to testing, the Job Applicant and Employee will be given a list of the most common medications by brand name or common name and chemical name which may later or affect a drug test. This information is on the Drug Testing/Chain-of-Custody/HRS Form 1806 or will be provided to you.
8. Any applicant who refuses to submit to the pre-employment drug test will be ineligible for hire.
9. Any employee who refuses to submit to a drug test may be terminated from employment or otherwise disciplined by the District. An injured employee who refuses to submit to a drug test, or has a positive confirmation test, in addition to the above, forfeits his eligibility for all workers' compensation medical and indemnity benefits.
10. A list of names, addresses, and telephone numbers of employee assistance programs and local drug rehabilitation programs will be provided to employees and applicants along with this summary statement. This information will be provided to any person upon request.
11. A Job applicant or employee who receives a positive confirmed drug test result may contest or explain the result to the Medical Review Officer or the Employer within 5 days after written notification of the positive test result. If your explanation or challenge is unsatisfactory, a written explanation will be given to you. If the person's challenge is unsatisfactory to the MRO or the District, they may contest the test results pursuant to the law.
12. A job applicant or employee has the responsibility of notifying the drug testing laboratory of any administrative or civil action brought pursuant to Chapter 440, Florida Statutes. The lab will maintain the sample until the case or administrative appeal is settled.
13. The following is a list of all drugs (described by brand name, common name and/or chemical name) for which the Employer may test. Also listed and identified are those most common medications which may alter or affect a drug test:  
  
Alcohol (booze, drink, distilled spirits, wine, malt beverages, beer, intoxicating liquors, alcoholic beverages, etc.)  
Amphetamines (Binhetamine, Desoxyn, Dexedrine)  
Cannabinoids (marijuana, hashish, hash, hash oil, pot, joint, roach, spleaf, grass, weed, reefer)  
Cocaine (coke, blow, nose candy, snow, flake, crack)  
Phencyclidine (PCP, angel dust, hog)  
Methaqualone  
Opiates (opium, dover's powder, paregoric, parepectolin)  
Barbiturates (Phenobarbital, Tuinal, Amytal)  
Benzodiazophines (Ativan, Azene, Kionopin, Dalmone, Diozepam, Halcion, Librium, Poxipam, Restoril, Serax, Transene, Valium, Vertron, Xanax)  
Methadone (Dolophine, Methadose)  
Propoxyphene (Darvocet, Darvon N, Dolene)  
  
Metabolites of any substances listed above.
14. Job applicants and employees have the right to confidentially consult the MRO for technical information regarding prescription and non-prescription medication and may contest or explain the test result to the MRO both before and after being tested.
15. To ensure that drugs and alcohol do not enter or affect the workplace, the District reserves the right to search all vehicles, containers, lockers, or other items on Employer property in the furtherance of this policy. Individuals may be requested to display personal property for visual inspection upon Employer request.
16. Failure to consent to search or display for visual inspection will be grounds for termination or reason for denial of access to Employer premises by any others.
17. Searches of employee's personal property will take place only in the employee's presence. All searches under this policy will occur with the utmost discretion and consideration for the employees involved.
18. Details of this policy may be obtained from your supervisor.
19. The contents of these drug and alcohol guidelines are presented as statements of the District's current policy and may be changed and updated by the District. These guidelines are not intended to create a contract between the District and any employee. Nothing in these guidelines binds the District to a specific or definite period of employment or to any specific policies, procedures, actions, rules, or terms and conditions of employment
20. Employees, as a condition of employment, are required to abide by these guidelines.

**ATTACHMENT A**

**APPLICANT DRUG TESTING**

**CONSENT AGREEMENT**

As a prerequisite to employment, I hereby agree to allow the District to collect urine samples from me to determine the presence of illegal substances in my body. Further, I give my consent to the release of my test results to authorized Employer management for appropriate review, and authorize the District to use the test results as a defense to any legal action to which I am a party.

I understand that the results of the drug testing, if confirmed positive, will remove me from consideration for employment. I also understand that if I refuse to consent, I will be removed from further consideration for employment.

Further, I understand that, if employed by the District, I must abide by the terms of the District's drug-free workplace policy and may be required to submit to testing for the presence of illegal drugs or alcohol. I understand that submission to such testing is a condition of employment with the District, and disciplinary action, up to and including discharge, may result if 1) I refuse to consent to such testing, 2) I refuse to execute all forms of consent and release of liability as are usually and reasonably attendant to such examinations, 3) I refuse to authorize release of the test results to the District, 4) the tests establish a violation of the District's drug-free workplace policy, 5) I otherwise violate the policy.

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I hereby consent to the administration of the drug test and to the terms and conditions of the consent agreement.

Employee's Signature \_\_\_\_\_ Date

Social Security No. \_\_\_\_\_

Witness's Signature \_\_\_\_\_ Date

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I hereby refuse to consent to testing for the presence of drugs and/or alcohol.

Employee's Signature \_\_\_\_\_ Date

Social Security No. \_\_\_\_\_

Witness's Signature \_\_\_\_\_ Date

## APPENDIX B

### Glades, Lee, Hendry, and Collier County Area Drug and Alcohol

#### Treatment Programs and Employee Assistance Programs

<u>Name</u>	<u>Address</u>	<u>Telephone Number</u>
A Kind Ear	2900 14th Street N # 7 Naples, FL 33940	(941) 434-7886
Age Link of Lee County	Lee County	(941) 433-3900
Alternative Chemical Dependency Consult. Ser.	3071 Terrace Avenue Naples, FL 33942	(941) 775-2119
Charter Glade Behavioral Health System	3550 Colonial Boulevard FL Myers, FL 33912	(941) 939-0403
Cloisters At Cape Coral	2001 Del Prado Blvd. Cape Coral, FL 33904	(941)772-5115 (800) 226-7822
David Lawrence Center	6075 Golden Gate Parkway Naples, FL 33999	(941) 435-0460
Employee Assistance Services	3400 Tamiami Trail N., Suite 204 Naples, FL 33940	(941) 435-0400
Glades County Health and Rehabilitative Ser.	Glades County	(941) 983-6171
Hendry County Health and Rehabilitative Ser.	Hendry County	(941) 675-5100
Hendry-Glades Mental Health Clinic, Inc.	601 W. Alverdez Clewiston, FL 33440	(941) 983-1423
Hoefling, Michael B., P.A.	213 Airport Road South Naples, FL 33942	(941)263-1161
Project Help. Inc.	Collier County	(941) 262-7227
Serenity Center, Inc.	2716 Michigan Avenue FL Myers, FL 33901	(941) 334-2994
Southwest Florida Addiction Services	2101 McGregor Boulevard FL Myers, FL 33901	(941) 332-6937
Willough at Naples, The	9001 Tamiami Trial E. Naples, FL 33962	(941) 775-4500 (800) 252-3508

**Note: The District does not recommend or endorse any of the above programs. This list is provided for your information.**

**SECTION FOUR**  
**EMPLOYEE PACKET**

# Drug-Free Workplace Policy

## Employee Acknowledgment of Receipt and Understanding

I hereby acknowledge that I have received and read a summary of the District's Drug-free Workplace policy, a summary of the drugs which may alter or affect a drug test and a list of local Employee Assistance Programs and drug and alcohol treatment programs. I have had an opportunity to have all aspects of this material fully explained. I understand that the full text of the Drug-free Workplace policy is available upon request. I also understand that I must abide by the policy as a condition of employment, and any violation may result in disciplinary action up to and including discharge.

Further, I understand that during my employment I may be required to submit to testing for the presence of drugs or alcohol. I understand that submission to such testing is a condition of employment with the District, and disciplinary action up to and including discharge may result if: 1) I refuse to consent to such testing, 2) I refuse to execute all forms of consent and release of liability as are usually and reasonably attendant to such examinations, 3) I refuse to authorize release of the test results to the District, 4) the tests establish a violation of the District's drug-free workplace policy, 5) I otherwise violate the policy. **If I am injured in the course and scope of my employment and test positive, I forfeit my eligibility for medical and indemnity benefits under the Workers' Compensation Act upon exhaustion of the remedies provided in Florida Statute '440.102(5).**

I ALSO UNDERSTAND THAT THE DRUG-FREE WORKPLACE POLICY AND RELATED DOCUMENTS ARE NOT INTENDED TO CONSTITUTE A CONTRACT BETWEEN THE DISTRICT AND ME.

THE UNDERSIGNED FURTHER STATES THAT HE OR SHE HAS READ THE FOREGOING ACKNOWLEDGMENT AND KNOWS THE CONTENTS THEREOF AND SIGNS THE SAME OF HIS OR HER OWN FREE WILL.

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**Signature**

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**Date**

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**Witness**

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**Date**

## Drug-free Workplace Policy

### Summary

In a commitment to safeguard the health of our employees and to provide a safe working environment for everyone, we have established a Drug-free Workplace Policy for the District. This policy is implemented pursuant to the Drug-free workplace program requirements under Florida Statute '440.102 and the rules of the Department of Labor and Employment Security, Division of Workers' Compensation. Under this policy it is a condition of employment for employees to refrain from reporting to work or working with the presence of drugs or alcohol in his or her body.

The essential parts of this policy are:

1. The District prohibits the illegal use, possession, sale, manufacture, or distribution, of drugs, alcohol, or other controlled substances on its property. It is also against the District's policy to report to work or to work under the influence of drugs or alcohol. Any employee who is taking any prescription drug which might impair safety, performance, or any motor functions must advise his or her supervisor before reporting to work under such medication.
2. Drug Testing of Applicants:
  - a. Applicants considered final candidates for a position will be tested for the presence of drugs as part of the application process. The Employer may elect to test for only certain job classification.
  - b. Applicants will be asked to sign the Consent To Pre-employment form. If an applicant refuses, he or she will not be considered for employment, and the employment application process will be terminated.
  - c. If an applicant's test is confirmed positive, the applicant will not be considered for employment at that time and will be informed that he or she has failed to meet employment standards.
3. Testing of Employees:
  - a. Reasonable-suspicion Drug Testing: Employees will be tested when there is a reasonable suspicion that an employee is using or has used drugs.
  - b. Random Testing: Employees will be subject to random drug testing.
  - c. Follow-up Testing: All employees who have been determined to have used drugs or alcohol and are permitted by the District to return to work will be subject to unannounced follow-up drug tests.
  - d. Routine Fitness for Duty Testing: Employees will be drug tested if the test is conducted as part of a routine fitness-for-duty medical examination.
  - e. Return to Duty Testing: Employees who have failed a drug test and are permitted by the District to return to work must pass a drug test and will be subject to unannounced drug tests.
  - f. Additional Testing: Additional testing may also be conducted as required by applicable state or federal laws, rules, or regulations or as deemed necessary by the District.
4. Alcohol and Drug Use Prohibitions:
  - a. The use, sale, purchase, possession, distribution, or dispensing of drugs or alcohol on duty or on Employer property is cause for immediate discharge.
  - b. It is against Employer policy to report to work or work under the influence of alcohol or drugs. This includes prescription drugs which induce an unsafe mental or physical state. Employees who violate this policy are subject to discipline up to and including discharge.
  - c. For the purpose of this policy an individual is presumed to be under the influence of alcohol or drugs if a confirmed alcohol or drug test is positive.
  - d. The District may suspend employees without pay under this policy pending the results of a drug test or investigation.
5. All information, interviews, reports, statement memoranda and drug test results, written or otherwise, received by the District as part of this drug testing program are confidential communications. Unless authorized by state laws, rules or regulations, the District will not release such information without a written consent form signed voluntarily by the person tested.
6. A Drug Use Information form, which is a confidential report, may be filled out by job applicants and employees both before and after being drug tested. This form permits individuals to provide to the Medical Review Officer (MRO) a list of all prescription and non-prescription

they are currently using or have used in the last month, as well as any other information they consider relevant to the test.

7. Prior to testing, the Job Applicant and Employee will be given a list of the most common medications by brand name or common name and chemical name which may later or affect a drug test. This information is on the Drug Testing/Chain-of-Custody/HRS Form 1806 or will be provided to you.
8. Any applicant who refuses to submit to the pre-employment drug test will be ineligible for hire.
9. Any employee who refuses to submit to a drug test may be terminated from employment or otherwise disciplined by the District. An injured employee who refuses to submit to a drug test, or has a positive confirmation test, in addition to the above, forfeits his eligibility for all workers' compensation medical and indemnity benefits.
10. A list of names, addresses, and telephone numbers of employee assistance programs and local drug rehabilitation programs will be provided to employees and applicants along with this summary statement. This information will be provided to any person upon request.
11. A Job applicant or employee who receives a positive confirmed drug test result may contest or explain the result to the Medical Review Officer or the Employer within 5 days after written notification of the positive test result. If your explanation or challenge is unsatisfactory, a written explanation will be given to you. If the person's challenge is unsatisfactory to the MRO or the District, they may contest the test results pursuant to the law.
12. A job applicant or employee has the responsibility of notifying the drug testing laboratory of any administrative or civil action brought pursuant to Chapter 440, Florida Statutes. The lab will maintain the sample until the case or administrative appeal is settled.
13. The following is a list of all drugs (described by brand name, common name and/or chemical name) for which the Employer may test. Also listed and identified are those most common medications which may alter or affect a drug test:  
  
Alcohol (booze, drink, distilled spirits, wine, malt beverages, beer, intoxicating liquors, alcoholic beverages, etc.)  
Amphetamines (Binhetamine, Desoxyn, Dexedrine)  
Cannabinoids (marijuana, hashish, hash, hash oil, pot, joint, roach, spleaf, grass, weed, reefer)  
Cocaine (coke, blow, nose candy, snow, flake, crack)  
Phencyclidine (PCP, angel dust, hog)  
Methaqualone  
Opiates (opium, dover's powder, paregoric, parepectolin)  
Barbiturates (Phenobarbital, Tuinal, Amytal)  
Benzodiazophines (Ativan, Azene, Kionopin, Dalmone, Diozepam, Halcion, Librium, Poxipam, Restoril, Serax, Transene, Valium, Vertron, Xanax)  
Methadone (Dolophine, Methadose)  
Propoxyphene (Darvocet, Darvon N, Dolene)  
  
Metabolites of any substances listed above.
14. Job applicants and employees have the right to confidentially consult the MRO for technical information regarding prescription and non-prescription medication and may contest or explain the test result to the MRO both before and after being tested.
15. To ensure that drugs and alcohol do not enter or affect the workplace, the District reserves the right to search all vehicles, containers, lockers, or other items on Employer property in the furtherance of this policy. Individuals may be requested to display personal property for visual inspection upon Employer request.
16. Failure to consent to search or display for visual inspection will be grounds for termination or reason for denial of access to Employer premises by any others.
17. Searches of employee's personal property will take place only in the employee's presence. All searches under this policy will occur with the utmost discretion and consideration for the employees involved.
18. Details of this policy may be obtained from your supervisor.
19. The contents of these drug and alcohol guidelines are presented as statements of the District's current policy and may be changed and updated by the District. These guidelines are not intended to create a contract between the District and any employee. Nothing in these guidelines binds the District to a specific or definite period of employment or to any specific policies, procedures, actions, rules, or terms and conditions of employment.
20. Employees, as a condition of employment, are required to abide by these guidelines.

ATTACHMENT A

**Consent to Employee Testing**

I understand that submission to testing for the presence of drugs and alcohol is a condition of employment with the District. I further understand that (1) if I refuse to take the test(s), (2) if I refuse to authorize release of the test results to the District, or (3) if the test(s) establish a violation of the District's policies concerning drug and alcohol use disciplinary action up to and including discharge may result. **In addition, if I was injured on the job and test positive, I will forfeit my medical and indemnity benefits under Florida's Workers' Compensation Act upon exhaustion of the procedures in Florida Statutes '440.102(5).** By placing my initials in the blanks below, and by signing and dating this form, I consent to take I test(s) and authorize release of any test results to the District. I understand that I may I may be placed on temporary leave of absence pending results of said test(s). I understand that should my test(s) results be confirmed positive, I will be subject to disciplinary action up to and including discharge.

By signing this form, I hereby release to the District the results of the test(s) to which I I have consented. I further authorize the District to discuss the results with medical personnel/physician collecting the specimen, the testing facility, its directors, officers, agents, and employees responsible for administering the aforementioned test(s) or evaluating the results thereof and any of them herein and to use the test results as a defense to any legal action to which I am a party.

I further release any testing facility or any physicians who have tested me from any liability arising from a release of any and all results, written reports, medical records, and data concerning my test(s) to the appropriate Employer officials.

I agree to take the following test(s) and to have the results released to the District:

- 1. Blood test \_\_\_\_\_(initials)
- 2. Urinalysis test \_\_\_\_\_(initials)
- 3. Hair analysis \_\_\_\_\_(initials)

Employee's Signature \_\_\_\_\_ Date

Social Security No. \_\_\_\_\_

Witness's Signature \_\_\_\_\_ Date

I hereby refuse to consent to testing for the presence of drugs and/or alcohol.

Employee's Signature \_\_\_\_\_ Date

Social Security No. \_\_\_\_\_

Witness's Signature \_\_\_\_\_ Date

**(Rev. 1)**

## APPENDIX B

### Glades, Lee, Hendry, and Collier County Area Drug and Alcohol

#### Treatment Programs and Employee Assistance Programs

Name	Address	Telephone Number
A Kind Ear	2900 14th Street N # 7 Naples, FL 33940	(941) 434-7886
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Cloisters At Cape Coral	2001 Del Prado Blvd. Cape Coral, FL 33904	(941)772-5115 (800) 226-7822
David Lawrence Center	6075 Golden Gate Parkway Naples, FL 33999	(941) 435-0460
Employee Assistance Services	3400 Tamiami Trail N., Suite 204 Naples, FL 33940	(941) 435-0400
Glades County Health and Rehabilitative Ser.	Glades County	(941) 983-6171
Hendry County Health and Rehabilitative Ser.	Hendry County	(941) 675-5100
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Hoefling, Michael B., P.A.	213 Airport Road South Naples, FL 33942	(941)263-1161
Project Help. Inc.	Collier County	(941) 262-7227
Serenity Center, Inc .	2716 Michigan Avenue FL Myers, FL 33901	(941) 334-2994
Southwest Florida Addiction Services	2101 McGregor Boulevard FL Myers, FL 33901	(941) 332-6937
Willough at Naples, The	9001 Tamiami Trial E. Naples, FL 33962	(941) 775-4500 (800) 252-3508

**Note: The District does not recommend or endorse any of the above programs. This list is provided for your information.**