

POLICY: ALCOHOL AND DRUG USE

Hadley Township Fire Department
Policy #005

I. PURPOSE:

To provide a safe, drug-free work environment and to ensure all employees health and job performance. To provide guidelines for the consistent handling of alcoholic beverages and drug use violations in the Department.

II. POLICY

1. Use of Alcoholic Beverages and Drugs

- A. Employees shall not possess, sell, or use alcoholic beverages or illegal drugs or abuse prescribed controlled substances while on the job or on municipal property.
- B. Employees shall not work, report to work, or respond to calls under the influence of alcoholic beverages or illegal drugs, nor under the influence of controlled substances except as provided in sub-paragraph C. below.
- C. Employees must report to their supervisor (officer) when they are experiencing or may experience a reaction to a prescription drug that may affect their ability to do their job. Employees must immediately report to their supervisor (officer) when they experience, or may experience, a reaction to a prescription or over-the-counter drug that affects their ability to do their job.
- D. Employees shall not drive any Department vehicle or respond to any emergency in their personal vehicle subsequent to the use of alcoholic beverages, illegal drugs, while under the influence of controlled substances or any prescription or over-the-counter drug which may impair their ability to operate the vehicle in a safe and controlled manner.

2. Drug Dependency Treatment

Employees shall disclose any drug or alcohol problem to their employer. If an employee advises their employer of a drug/alcohol problem, the employee will be urged to receive counseling and if necessary, will be permitted to take a leave of absence to receive treatment. If so, the leave provisions of Item 3 will apply. However, a drug/alcohol related problem would not excuse any violation of the department rules.

Alcoholism and chemical dependencies are treatable. Regular full-time employees of the employer covered by the sponsored health insurance may have limited coverage for treatment of alcoholism and chemical dependency. However, any costs associated with the treatment that are not covered by insurance, will be the sole responsibility of the employee.

III. PROCEDURES:

1. Drug and or alcohol screens will be conducted in the following instances:

Post offer employment physicals, including a drug/alcohol screen are required of all potential employees. The municipality does not hire applicants who are current abusers.

Whenever an employee of the Department is involved in an accident with a department vehicle or personal vehicle while acting on behalf of the department the employee will be required to consent to a drug/alcohol test.

When there is a reasonable suspicion that a employee is using or possessing illegal drugs or alcoholic beverages or is abusing a controlled substance at work or is working or reporting to work under the influence of illegal drugs, alcoholic beverages, or an abused or controlled substance, that employee shall be required to consent to a drug/alcohol test immediately. Reasonable suspicion may be based upon, but not limited to, unexplained, and excessive absence, reports that the employee uses or is under the influence of alcoholic beverages or drugs during work, the odor of alcohol or marijuana on an employee, unusual behavior such as slurred speech or lack of coordination, possession of paraphernalia used in connection with any illegal drug or substance subject to these rules. If drug or alcohol testing requires transport to a medical facility, transportation will be provided directly from the scene.

Testing will require that the employee provide urine and/or blood sample or submit to some other medically accepted procedure. Any time an employee is requested to take a drug/or alcohol test, the employee will be required to sign an authorization form permitting the physician or lab to conduct the test and release the results to the employer. Refusal to sign the authorization form or to submit immediately to a requested drug/alcohol test will be considered admission of a positive test and will subject the employee to discharge. All drug screen samples will be given at a licensed medical facility or doctor's office chosen by the employer, and will be sealed, and properly identified. A certified laboratory will conduct testing and test results will be treated confidentially. Results will be distributed only on a business need-to-know basis and to the extent necessary to protect a legitimate interest of the municipality. The employee tested shall receive results as soon as possible after they become available. If a blood alcohol test is used, the same steps will be taken.

Gas Chromatography/Mass Spectrometry (GC/MS) will confirm positive drug screen results or another medically accepted testing method. Drugs being screened listed below are not totally inclusive but may relate to the following:

- Amphetamines (uppers, bennies, speed)
- Benzodizepines (tranquilizers)
- Cocaine (snow, crack, flake, coke, etc.)
- Opiates (heroin, codeine, methadone, morphine, smack, hose, etc.)
- Barbiturates (downers, reds, candy, etc.)
- Cannabionods (marijuana, hashish, THC, etc.)
- Methaqualone (SOPARS)
- Phencyclidine (PCP, angel dust)

- A. Recognizing the potential problems created by alcohol use, including reduced performance, adverse public perception, and liability to the Employer, the Department will accept zero tolerance as the standard. Testing shall be administered when there is reasonable suspicion that an employee has reported

to work or responded to an incident impaired or under the influence of alcoholic beverages.

- B. The Chief of the Department shall make a reasonable effort to ensure an adequate response of personnel. In the event of a department function, with the potential to consume alcoholic beverages, the Chief shall survey personnel or next highest-ranking officer to determine if a sufficient number of personnel will be available to respond unimpaired. If an adequate number of personnel are expected to be unavailable, the Chief of the Department shall be notified so that a stand-by from another department can be established.
- C. It is the preference of this department that personnel not respond if alcoholic beverages have been consumed. However, since state law recognized impairment does not begin until blood alcohol level reaches .02, where only small amount of alcohol has been consumed personnel shall respond if their approximate blood alcohol is below .02 as determined by using the attached chart.
- D. When any member has a reasonable suspicion that another member of the organization has consumed alcoholic beverages, he/she shall report the suspicion immediately to their officer. Based upon the information provided and by observation, the officer may contact the Fire Chief for direction. A breath analyzer may also be requested, at the scene and followed up with additional testing as necessary.

3. Rehabilitation and Counseling

Any positive drug or alcohol test will result in the employee being relieved from duty. In the case of a positive test, the employee shall complete a professional evaluation for a drug/alcohol related problem. Subsequent treatment is required and the employee cannot work for a specific period of time, the employee will be considered on medical leave. This leave may be conditional upon receipt of reports that the employee is cooperating and making reasonable progress in the treatment program. In addition, this leave is conditioned upon the employee entering an approved treatment program as soon as possible.

Within 45 days of entering the treatment program, the employee must provide satisfactory medical evidence that he/she has completed the program and is fit to return to work. They must also pass another drug/alcohol screen. This 45 day time limit can be extended only based on medical or scientific evidence that a longer time is justified. However, no period longer than six months total from the date of the original positive test result to completion of treatment will be permitted. Failure to meet these conditions will result in termination of employment.

Treatment programs acceptable to the employer under this policy are those provided by facilities that are accredited by the Joint Commission on the Accreditation of Hospitals and/or licensed through an appropriate State-licensing agency. The employer will require written verification that an employee is participating in or has completed a treatment program.

Any employee who has returned to work is subject to retesting as otherwise provided in this policy. If he/she fails the retest, they shall be discharged.

4. Disciplinary Action

Disciplinary action is appropriate in the following instances:

- A. Any employee who is in the possession of, sells, or uses alcohol, or illegal drugs or illegally possesses, sells, or uses a controlled substance, while on the job shall be subject to immediate discharge.
- B. Any employee who works or reports to work under the influence of alcohol, controlled substances, or drugs shall be immediately suspended and shall be subject to discipline up to and including discharge. This includes prescribed and over-the-counter drugs not reported to an officer as required by Section 1.c. above. The type and severity of discipline will depend on all circumstances, including nature of substance, employee's explanation, and willingness to enter a rehabilitation program if treatment is appropriate.
- C. Refusal to sign the authorization form associated with a drug/alcohol test or refusal to take a requested drug/alcohol test immediately is considered admission of a positive test and shall be grounds for immediate discharge.
- D. Anyone involved in the trafficking of illegal drugs or controlled substance, whether on or off employer premises, will be subject to immediate discharge. Trafficking will include the actual sale or distribution of drugs or controlled substances, or possessing a quantity of drugs that is more than would be expected for personal use. Trafficking will also include having in possession illegal drugs or controlled substances that are packaged in a way that indicates intent to distribute.

5. Appeal

The employee will have the opportunity to discuss the positive test results with the employer and may, at the employee's own expense, have another test run on a second

sample. Any employee may appeal action taken by the employer under this policy through the appropriate grievance procedure.

This policy presented by the Michigan Township Participating Plan, is intended as general guidelines for members of the Michigan Township Participating Plan Program. This policy should not be construed as legal advice. The viewer or reader of the material should consult legal counsel to review the information presented before implementation of any policy or procedures.

Men									
	Approximate Blood Alcohol Percentage								
Drinks	Body Weight in Pounds								
	100	120	140	160	180	200	220	240	
0	.00	.00	.00	.00	.00	.00	.00	.00	Only Safe Driving Limit
1	.04	.03	.03	.02	.02	.02	.02	.02	Impairment Begins
2	.08	.06	.05	.05	.04	.04	.03	.03	Driving Skills Significantly Affected Possible Criminal Penalties
3	.11	.09	.08	.07	.06	.06	.05	.05	
4	.15	.12	.11	.09	.08	.08	.07	.06	
5	.19	.16	.13	.12	.11	.09	.09	.08	
6	.23	.19	.16	.14	.13	.11	.10	.09	Legally Intoxicated Criminal Penalties
7	.26	.22	.19	.16	.15	.13	.12	.11	
8	.30	.25	.21	.19	.17	.15	.14	.13	
9	.34	.28	.24	.21	.19	.17	.15	.14	
10	.38	.31	.27	.23	.21	.19	.17	.16	
Subtract .01% for each 40 minutes of drinking. One drink is 1.25 oz. of 80 proof liquor, 12 oz. of beer, or 5 oz. of table wine.									

Women										
	Approximate Blood Alcohol Percentage									
Drinks	Body Weight in Pounds									
	90	100	120	140	160	180	200	220	240	
0	.00	.00	.00	.00	.00	.00	.00	.00	.00	Only Safe Driving Limit
1	.05	.05	.04	.03	.03	.03	.02	.02	.02	Impairment Begins
2	.10	.09	.08	.07	.06	.05	.05	.04	.04	Driving Skills Significantly Affected <u>Possible Criminal Penalties</u>
3	.15	.14	.11	.10	.09	.08	.07	.06	.06	
4	.20	.18	.15	.13	.11	.10	.09	.08	.08	
5	.25	.23	.19	.16	.14	.13	.11	.10	.09	
6	.30	.27	.23	.19	.17	.15	.14	.12	.11	<u>Legally Intoxicated</u> Criminal Penalties
7	.35	.32	.27	.23	.20	.18	.16	.14	.13	
8	.40	.36	.30	.26	.23	.20	.18	.17	.15	
9	.45	.41	.34	.29	.26	.23	.20	.19	.17	
10	.51	.45	.38	.32	.28	.25	.23	.21	.19	
Subtract .01% for each 40 minutes of drinking. One drink is 1.25 oz. of 80 proof liquor, 12 oz. of beer, or 5 oz. of table wine.										