

Drug Free Workplace Policy or Drug Testing Program

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Drug Free Workplace Policy

- A statement by the Commissioners
- Often a requirement for grants
- No enforcement provisions

Drug Testing Policy

- A financial and time commitment.
- Contract with a vendor.
- Consequences for failing a drug/alcohol test.
- Limitations on some types of testing.

No testing without a policy (except criminal)

Types of testing:

- Pre-employment
 - Actually after conditional hire. May be limited?
- Post accident
 - Policy needs to define “accident”.
- Reasonable suspicion
 - Behavior identified by a trained supervisor.
- Random
 - Limited to CDL drivers and “safety sensitive”.

DOT testing for CDL drivers.

- Only applies to those whose job requires a CDL.
 - Trucks over 26,000 lb. gvwt.
 - Buses 15 passenger or larger.
 - Certain types of hazardous material.
- More expensive – may want a different process for others.
- Requires all four types of testing.

Having a CDL does not trigger testing.

(Counties exempt from medical card?)

Safety Sensitive

- Sworn law enforcement officers (patrol and detention).
- Employees with regular access to drugs.
- Employees who put chemicals in public drinking water systems.
- Others approved by the Prosecutor.

- Probably not:
 - Drivers other than CDL?
 - Most office workers.
 - Equipment operators who do not drive larger trucks?

Cautions

- Random testing can be used only with some employees, based on their job – not where they work.
- Make sure your policy is reviewed(re-reviewed) by the Prosecutor.
- Provide training for supervisors on “reasonable suspicion”.
- Call ICRMP before taking action based on testing/refusing.