

CITY OF BLOOMFIELD

DRUG AND ALCOHOL POLICY

EFFECTIVE APRIL 18, 2016

ALL EMPLOYEES WILL RECEIVE CURRENT POLICY IN PRINT

AND ALL EMPLOYEES MUST SIGN FOR THEIR COPIES

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City of Bloomfield

SUBSTANCE ABUSE POLICY

1.0 POLICY

City of Bloomfield is dedicated to providing safe, dependable, and economical transportation services to our transit system passengers. City of Bloomfield employees are a most valuable resource and it is our goal to provide a healthy, satisfying work environment which promotes personal opportunities for growth. In meeting these goals, it is our policy to (1) assure that employees are not impaired in their ability to perform assigned duties in a safe, productive, and healthy manner; (2) create a workplace environment free from the adverse effects of drug abuse and alcohol misuse; and (3) encourage employees to seek professional assistance anytime personal problems, including alcohol or drug dependency, adversely affect their ability to perform their assigned duties.

It is the policy of the company to enforce a strict "zero tolerance" policy for those individuals covered under this policy. No "second chance" consideration will be made for those individuals who have a positive alcohol or controlled substances test as outlined in this policy.

2.0 PURPOSE

The purpose of this policy is to assure worker fitness for duty and to protect our employees, passengers, and the public from the risk posed by the misuse of alcohol and abuse of prohibited drugs. This policy is also intended to comply with all applicable Federal regulations governing workplace anti-drug and alcohol programs, in the transit industry. The Federal Transit Administration (FTA) of the U.S. Department of Transportation (US DOT) has published 49 CFR Part 655, as amended, that mandates urine drug testing and breath alcohol testing for safety-sensitive positions and prohibits performance of safety-sensitive functions when there is a positive test result. US DOT has published 49 CFR Part 40, as amended, that sets standards for the collection and testing of urine and breath specimens. This policy incorporates those requirements for safety-sensitive employees and others when so noted. Part 40 is available on-line at <http://www.dot.gov/ostldapc/index.html>.

3.0 APPLICABILITY

This policy applies to all safety-sensitive transit system employees, paid part-time employees, contract employees, volunteers and contractors when they are on City of Bloomfield property or when performing any transit-related safety-sensitive business. This policy applies to off-site lunch periods or breaks when an employee is scheduled to return to work.

A safety-sensitive function is any duty related to the operation of mass transit service including operating a revenue service vehicle (whether or not the vehicle is in revenue service), dispatching, maintaining a revenue service vehicle or equipment used in revenue.

4.0 PROHIBITED SUBSTANCES

"Prohibited substances" addressed by this policy include the following:

§ 40.87 What are the cutoff concentrations for drug tests?

(a) The cutoff concentrations displayed in the following table for initial and confirmatory drug tests. All cutoff concentrations are expressed in nanograms per milliliter (ng/mL). The table follows:

Initial test analyte	Initial test cutoff concentration	Confirmatory test analyte	Confirmatory test cutoff concentration
Marijuana metabolites	50 ng/ml	THCA ¹	15 ng/mL.
Cocaine metabolites	150 ng/ml	Benzoylcegonine	100 ng/mL.
Opiate metabolites			
Codeine/Morphine ²	2000 ng/ml	Codeine	2000 ng/mL.
		Morphine	2000 ng/mL.
6-Acetylmorphine	10 ng/ml	6-Acetylmorphine	10 ng/mL.
Phencyclidine	25 ng/ml	Phencyclidine	25 ng/mL.
Amphetamines ³			
	AMP/MAMP ⁴ 500 ng/mL	Amphetamine	250 ng/mL.
		Methamphetamine ⁵	250 ng/mL.
MDMA ⁶	500 ng/ml	MDMA	250 ng/mL.
		MDA ⁷	250 ng/mL.
		MDEA ⁸	250 ng/mL

¹ Delta-9-tetrahydrocannabinol-9-carboxylic acid (THCA).

² Morphine is the target analyte for codeine/morphine testing.

³ Either a single initial test kit or multiple initial test kits may be used provided the single test kit detects each target analyte independently at the specified cutoff.

⁴ Methamphetamine is the target analyte for amphetamine/methamphetamine testing.

⁵ To be reported positive for methamphetamine, a specimen must also contain amphetamine at a concentration equal to or greater than 100 ng/mL.

⁶ Methylenedioxymethamphetamine (MDMA).

⁷ Methylenedioxyamphetamine (MDA).

⁸ Methylenedioxyethylamphetamine (MDEA).

(b) On an initial drug test, you must report a result below the cutoff concentration as negative. If the result is at or above the cutoff concentration, you must conduct a confirmation test.

(c) On a confirmation drug test, you must report a result below the cutoff concentration as negative and a result at or above the cutoff concentration as confirmed positive.

(d) You must report quantitative values for morphine or codeine at 15,000 ng/mL or above.

[65 FR 79526, Dec. 19, 2000, as amended at 75 FR 49862, Aug. 16, 2010; 77 FR 26473, May 4, 2012]

4.1 Illegally Used Controlled Substances or Drugs

The use of any illegal drug or any substance identified in Schedules I through V of Section 202 of the Controlled Substance Act (21 U.S.C. 812), as further defined by 21 CFR 1300.11 through 1300.15, is prohibited at all times unless a legal prescription has been written for the substance. This includes, but is not limited to: marijuana (including medical marijuana), amphetamines, opiates, phencyclidine (PCP), and cocaine, as well as any drug not approved for medical use by the U.S. Drug Enforcement Administration or the U.S. Food and Drug Administration. Illegal use includes use of any illegal drug, misuse of legally prescribed drugs, and use of illegally obtained prescription drugs.

4.2 Legal Drugs

The appropriate use of legally prescribed drugs and non-prescription medications is not prohibited. However, the use of any substance, which carries a warning label that indicates that mental functioning, motor skills, or judgment may be adversely affected, must be reported to a City of Bloomfield system supervisor. In addition, the employee must obtain a written release from the attending physician releasing the person to perform their job duties any time they obtain a performance-altering prescription. Medical marijuana under a state' law does not constitute a valid medical explanation under federal law and will be considered a positive drug test result.

A legally prescribed drug means that the individual has a prescription or other written approval from a physician for the use of a drug in the course of medical treatment. It must include the patient's name, the name of the substance, quantity/amount to be taken, and the period of authorization. The misuse or abuse of legal drugs while performing City of Bloomfield business is prohibited.

City of Bloomfield employee(s) performing safety-sensitive job functions and taking OTC and legally prescribed drugs must:

- Confer with their physician prescribing the medication to ascertain pertinent side effects of prescription and/or OTC medications and inquire into alternative treatment options
- Seek medical advice, as appropriate, before performing work-related duties.
- Advise his/her supervisor/management staff personnel if the use of such prescribed drugs/medication affects his/her ability to drive and/or work safely.

4.3 Alcohol

The use of beverages containing alcohol or substances including any medication, mouthwash, food, candy or any other substance such that alcohol is present in the body while performing City of Bloomfield business is prohibited. The concentration of alcohol is expressed in terms of alcohol per 210 liters of breath as measured by an evidential breath-testing device. No safety-sensitive employee should report for duty or remain on duty when his/her breath alcohol concentration is 0.02 or greater. No safety-sensitive employee shall use alcohol while performing safety-sensitive

functions, within four hours prior to performing a safety-sensitive function, or during on-call hours. Violation of these, provisions is prohibited and punishable by termination.

5.0 COMPLIANCE WITH TESTING REQUIREMENTS

In accordance with Part 655, all safety-sensitive employees shall be subject to urine drug testing and breathe alcohol testing as a condition of employment. Any safety-sensitive employee who refuses to comply with a request for testing shall be immediately removed from duty, referred to a substance abuse professional (SAP), and terminated from employment. Any safety-sensitive employee who is suspected by the collector during the specimen collection process of falsifying test results through tampering, contamination, adulteration, or substitution will, be required to undergo an immediate observed second collection. Verification of these actions will result in the employee's immediate removal from duty and termination of employment.

Any person who has been given a conditional job offer subject to pre-employment drug testing and leaves the testing site once testing has commenced (i.e., once the collector provides the individual with the urine collection cup), shall be deemed to have refused the test. Failure to show up for or leaving the collection site prior to commencement of the pre-employment drug test is not considered a refusal. Failure to undergo a medical examination or evaluation directed by the MRO shall constitute a refusal of a pre-employment test only if the pre-employment test is conducted after a contingent Offer of employment.

The following circumstances constitute a test refusal:

1. Failure to appear for any test (except pre-employment) within reasonable time after being notified to go
2. Fail to remain at the testing site until the testing process is complete (for a pre-employment test an employee who leaves the testing site before the testing process commences is not deemed to have refused to test)
3. Failure to provide adequate specimen for any drug or alcohol test required by DOT/FTA rules.
4. Refusal to allow the observation or monitoring of a specimen collection when it is required
5. Failure to provide a sufficient urine or breathe sample without an adequate medical explanation for the failure
6. Failure to take a second drug test that the employer or collector has directed the employee to take
7. Failure to undergo a medical exam as directed by the employer or the medical review officer (MRO) as part of the verification process, or "shy bladder" or "shy lung" procedures
8. Failure to cooperate with the testing process (examples: refusal to empty pockets when requested, behaving in a confrontational manner that disrupts the process, or failure to wash hands after being directed to do so by the collector)
9. For an observation collection, failure to follow-the observer's instructions to raise clothing above the Waist, lower clothing and underpants to mid-thigh, and to turn around to allow the observer to see if employee is wearing a prosthetic or similar device that could be used to interfere with the collection process
10. Possession or wearing of a device as described above intended to help the employee pass the drug test
11. Admitting adulteration or substitution of the specimen to the collector or the MRO
12. If the MRO reports a verified adulterated or substituted test result
13. Refusal to sign Step 2 of the Alcohol Testing Form
14. Failure to remain readily available for post-accident drug and alcohol testing until a decision is made that no testing is required or until testing is completed.
15. Refusal to take a company test is a refusal to DOT test

A drug test can be performed any time a safety sensitive employee is on duty. A random or reasonable suspicion alcohol test can only be performed just before, during or immediately after the performance of a safety sensitive duty.

6.0 TREATMENT REQUIREMENTS

Any employee with a positive test result will be terminated.

All employees are encouraged voluntarily to make use of any available resources for treatment for alcohol misuse and illegal drug use problems. Under certain circumstances (such as a decision by the courts), employees may be required to undergo treatment for substance abuse or alcohol misuse. The cost of any treatment or rehabilitation services will be paid for directly by the employee or their insurance provider.

7.0 TESTING PROCEDURES

§ 40.87 What are the cutoff concentrations for drug tests?

(a) The cutoff concentrations displayed in the following table for initial and confirmatory drug tests. All cutoff concentrations are expressed in nanograms per milliliter (ng/mL). The table follows:

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		Morphine	2000 ng/mL.
6-Acetylmorphine	10 ng/ml	6-Acetylmorphine	10 ng/mL.
Phencyclidine	25 ng/ml	Phencyclidine	25 ng/mL.
Amphetamines ³			
AMP/MAMP ⁴	500 ng/ml	Amphetamine	250 ng/mL.
		Methamphetamine ⁵	250 ng/mL.
MDMA ⁶	500 ng/ml	MDMA	250 ng/mL.
		MDA ⁷	250 ng/mL.
		MDEA ⁸	250 ng/mL.

All safety-sensitive employees shall be subject to pre-employment, reasonable suspicion, post-accident, and random testing as defined.

Testing shall be conducted in a manner to assure a high degree of accuracy and reliability and using techniques, equipment and laboratory facilities, which have been approved by the U.S. Department of Health and Human Service

(DHHS). All testing will be conducted consistent with the procedures put forth in 49 CFR Part 40, as amended. A copy of 49 CFR Part 40 is available from the DER upon request.

The five drugs that will be tested for in a urine specimen include marijuana, cocaine, opiates, amphetamines and phencyclidine. All urine specimen drug testing will be conducted at a DHHS-certified laboratory. An Initial drug screen will be conducted on each urine specimen. For those specimens with non-negative Initial drug screen results, confirmatory gas chromatography/mass spectrometry (GC/MS) testing is conducted. The test result will be considered positive if the amount(s) present are above the minimum thresholds established in 49 CFR 40.87, as amended.

Breath alcohol testing will be conducted utilizing a National Highway Traffic Safety Administration (NHTSA)-approved testing device operated by a trained breath alcohol technician. If the Initial test indicates a breath alcohol concentration of 0.02 or greater, a second test will be performed by the breath alcohol technician. The confirmatory test will be performed using an NHTSA-approved evidential breath-testing device operated by a trained breath alcohol technician. A safety-sensitive employee who has a confirmed breath alcohol concentration of 0.02 or greater but less than 0.04 will be immediately removed from duty for eight hours unless a retest results in a concentration measure of less than 0.02. A confirmed breath alcohol concentration of 0.04 or greater will be considered a positive alcohol test in violation of this policy and a violation of the requirements set forth in 49 CFR Part 655 for safety-sensitive employees.

The consequences for covered employees, including applicants for safety-sensitive positions, who have a verified drug or a confirmed alcohol test result with an alcohol concentration of 0.04 or greater, or who refuse to submit to a test under this part, include the mandatory requirements that the covered employee be removed immediately from his/her safety-sensitive function and referred to a SAP. Any employee who tests positive for drugs and/or alcohol or refuses to test will be terminated from employment. The cost of any treatment or rehabilitation services will be paid directly by the employee.

City of Bloomfield affirms the need to protect individual dignity, privacy and confidentiality throughout the testing process. Consistent with the requirements in 49 CFR Part 40, as amended, an immediate urine specimen collection will be conducted under direct observation (by a person of the same gender) with no advance notice if:

1. The DHHS-certified laboratory reports to the MRO that a specimen is invalid, and the MRO reports to the designated employer representative (DER) that there was not an adequate medical explanation for the result
2. The MRO reports to the DER that the original positive, adulterated, or substituted test result had to be canceled because the test of the split specimen could not be performed
3. The MRO directs the DER to conduct a recollection under direct observation because the creatinine concentration of the Initial specimen collected was equal to or greater than 2 mg/dl but less than or equal to 5 mg/dl
4. The collector must immediately conduct a collection under direct observation if:
 - The employee is directed by the DER to do so, or the employees conduct clearly indicates an attempt-to tamper with a specimen
 - The collector observes materials brought to the collection site by the donor or the donor's conduct clearly indicates an attempt to tamper with a specimen
 - The temperature of the original specimen is outside the acceptable range of 90-100 degrees Fahrenheit
 - The original specimen appeared to be tampered with

7.1 Employee Requested Testing

Any safety-sensitive employee or applicant who questions the results of a verified positive required drug test or refusal to test may request that the split sample be tested at a second DHHS certified testing laboratory. This test must be conducted on the split specimen (the original specimen was separated into two bottles - the primary specimen and the

split specimen). The City of Bloomfield employee will be responsible for this cost unless the test result of the split specimen invalidates the test result of the primary specimen. The method of collecting, storing, and testing the split sample will be consistent with the procedures set forth in 49 CFR Part 40, as amended. The employee's request for a split sample test must be made to the MRO within 72 hours of notice of the original sample verified test result. Requests after

72 hours will only be accepted by the MRO if the delay was due to documentable facts that were beyond the control of the employee.

7.2 Pre-employment Testing

All applicants for safety-sensitive positions shall undergo urine drug testing prior to hiring or transfer into a safety-sensitive position. All offers of employment for safety-sensitive positions shall be extended conditional upon the applicant passing a drug test. If any employee or applicant has not performed a safety-sensitive function for 90 consecutive calendar days or more, regardless of reason, and the employee had been removed from the random testing selection pool during that time, a pre-employment drug test is required. An MRO-verified negative result must be obtained prior to the performance of any safety-sensitive work. If an applicant fails a pre-employment drug test, the conditional offer of employment shall be rescinded.

City of Bloomfield will provide each applicant or employee who fails a pre-employment drug test with the name, address, and telephone number of the available SAP meeting the qualifications listed in 49 CFR Part 40, as amended.

Any individual who has previously either failed or refused a DOT required pre-employment test must provide evidence of successfully completing a SAP referral and evaluation, and treatment plan compliant with the requirements in 49 CFR Parts 40 and 655, as amended, prior to further consideration for employment. The cost for the assessment and any subsequent treatment will be the sole responsibility of the individual. If the drug screen test is canceled by the MRO, the applicant must retake and pass the drug screen test before being hired.

7.3 Reasonable Suspicion Testing

All safety-sensitive employees may be subject to urine and/or breathe testing when there are reasons to believe that drug or alcohol use is adversely affecting job performance. A reasonable suspicion referral for testing will be made based on documented contemporaneous and articulable observations consistent with substance abuse and/or alcohol misuse. Reasonable suspicion referrals must be made by one or more supervisors trained to detect the signs and symptoms of drug abuse and alcohol misuse and conclude that an employee may be adversely affected or impaired in his/her work performance due to possible prohibited substance abuse or alcohol misuse. The decision to test for alcohol under reasonable suspicion will be made based on observations made just before, during or immediately after performing a safety-sensitive function. If no alcohol test is obtained in 2 hours create a note explaining why. If no alcohol test is obtained in 8 hours update note explaining why and cease attempts.

Examples of reasonable suspicion include, but are not limited to, the following:

1. Physical signs and symptoms consistent with prohibited substance use or alcohol misuse which includes specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, or body odors of an employee.
2. Evidence of the manufacture, distribution, dispensing, possession or use of controlled substances, drugs, alcohol or other prohibited substance.
3. Fights (to mean physical contact), assaults and flagrant disregard or violations of established safety, security or other operation procedures.

7.4 Post-Accident Testing

All safety-sensitive employees will be required to undergo urine, drug, and breath alcohol testing if they are involved in an accident involving the operation of a City of Bloomfield revenue service vehicle (regardless of whether or not the vehicle is in revenue service at the time of the accident) that results in a fatality. This includes any surviving safety-sensitive employee that was operating the vehicle and any other employee whose performance could have contributed to the accident.

In addition, post-accident drug and alcohol testing will be conducted if the accident involves the operation of a revenue service vehicle, whether or not in revenue service, and

- An individual suffers bodily injury and immediately receives medical treatment away from the scene of the accident; or
- Any vehicle involved sustains disabling damage requiring a tow away from the scene.

For non-fatal accidents, drug and alcohol testing will be conducted on all covered employees operating the mass transit vehicle unless their performance can be completely discounted as a contributing factor based on the best information available at the time of the decision, and all other covered employees whose performance could have contributed to the accident as determined by City of Bloomfield using the best information available at the time of the decision to test.

Following an accident, a safety-sensitive employee will be tested as soon as possible, but not to exceed eight hours for alcohol testing and 32 hours for drug testing if not obtainable there will be a notation as to why it cannot be obtained.

Any safety sensitive employee involved in an accident must refrain from consuming alcohol for eight hours following the accident or until he/she undergoes a post-accident alcohol test, whichever occurs first. Any safety-sensitive employee who leaves the scene of the accident without justifiable explanation prior to submission to drug and alcohol testing will be considered to have refused the test and terminated from employment. Employees tested under this provision will include any covered employee whose performance could have contributed to the accident.

Post-accident testing is stayed while the employee assists in the resolution of the accident or receives medical attention following the accident.

City of Bloomfield will make every effort to complete breath alcohol testing within 2 hours of the accident. If alcohol testing cannot be completed within 2 hours, a report must be maintained that documents the reason for the testing delay. If alcohol testing cannot be accomplished within 8 hours of the accident, all attempts to obtain a specimen must cease and the documentation on the testing delay must be updated.

7.5 Random Testing

Employees in safety-sensitive positions will be subject to random, unannounced, and unpredictable drug and alcohol testing. The selection of safety-sensitive employees for random drug and alcohol testing will be made using a scientifically valid method that ensures that each covered employee has an equal chance of being selected for testing each time selections are made with no influence from operations or management. Random drug testing will be conducted throughout the calendar year and at all times of the day when safety-sensitive functions are performed. Once an employee is notified of his/her selection for random testing, he/she must proceed to the testing site immediately. Random drug tests can be conducted at any time while an employee is on duty. Random alcohol testing will be conducted just before, during, or immediately after performing a safety-sensitive function.

At a minimum, City of Bloomfield will test at the current FTA established rates set forth in 49 CFR Part 655, as amended. A copy of 49 CFR Part 655 is available from the DER upon request.

7.6 Return-to-Duty Testing -

It is the policy of the City of Bloomfield to enforce a strict "zero tolerance" policy for those individuals covered under this policy. No "second chance" consideration will be made for those individuals who have a positive alcohol or controlled substances test as outlined in this policy. This policy is conducted in accordance with Part 40, subpart O

7.7 Follow-Up Testing

It is the policy of the City of Bloomfield to enforce a strict "zero tolerance" policy for those individuals covered under this policy: No "second chance" consideration will be made for those individuals who have a positive alcohol or controlled substances test as outlined in this policy. This policy is conducted in accordance with Part 40, subpart O

7.8 Dilute Negative Policy

A dilute specimen is a specimen with creatinine and specific gravity values that are lower than expected for human urine. As permitted in 49 CFR 40.197, the City of Bloomfield will not perform a second test on any applicant/employees with a dilute negative drug test result, unless directed to do so by the MRO. If the employee declines to take the second observed drug test as directed, it will be considered a test refusal.

The employee may request a second test or split specimen at the cost of the employee. The second test would be the result of record.

8.0 REFERRALS FOR TREATMENT

Any safety-sensitive employee who tests positive for the presence of illegal drugs and/or alcohol above the minimum thresholds set forth in 49 CFR Part 40 and 49 CFR Part 655, as amended, will be referred for evaluation to a SAP that meets the qualifications set forth in 49 CFR Part 40, as amended. The SAP will evaluate each employee to determine what assistance (treatment and/or education) the employee needs in resolving problems associated with prohibited drug use or alcohol misuse. Any cost of treatment will be paid solely by the employee.

9.0 CONSEQUENCES OF A POSITIVE TEST

It is the policy of the City of Bloomfield to enforce a strict "zero tolerance" policy for those individuals covered under this policy. No "second chance" consideration will be made for those individuals who have a positive alcohol or controlled substances test as outlined in this policy.

All employees who test positive for the presence of illegal drugs or alcohol above the minimum thresholds set forth above will be terminated.

10.0 RE-ENTRY CONTRACTS

It is the policy of the company to enforce a strict "zero tolerance" policy for those individuals covered under this policy. No "second chance" consideration will be made for those individuals who have a positive alcohol or controlled substances test as outlined in this policy.

11.0 EMPLOYEE AND SUPERVISOR TRAINING

All safety Sensitive employees will undergo a minimum of 60 minutes of training on the signs and symptoms of drug use including the effects and consequences of drug use in personal health, safety, and the work environment. The training will also include manifestations and behavioral cues that may indicate prohibited drug use.

Supervisors will also receive 60 minutes of reasonable suspicion training on the physical, behavioral, and performance indicators of probable drug use and 60 minutes of reasonable suspicion training on the physical, behavioral, speech, and performance indicators of probable alcohol misuse.

Information on the signs, symptoms, health effects and consequences of alcohol misuse is presented in this policy.

12.0 INFORMATION DISCLOSURE as required by 49 CFR Part 655 "See Attachment D"

City of Bloomfield shall release information regarding a covered employee's record as directed by specific, written consent from the employee authorizing release of the Information to an Identified person.

A covered employee is entitled, upon written request, to obtain copies of any records pertaining to his/her use of prohibited substances, including any records pertaining to test results.

City of Bloomfield may disclose information that is required-to be maintained to the decision maker in a lawsuit, grievance or other proceeding initiated by or on behalf of the employee tested.

When requested by the National Transportation Safety Board as part of an accident investigation, -City of Bloomfield shall disclose Information related to its administration of drug and alcohol tests following the accident investigation.

Records shall be made available to subsequent employers upon receipt of written request from the covered employee.

City of Bloomfield shall disclose data for its drug and alcohol testing program and any other information pertaining to its anti-drug program, when requested by the Secretary of Transportation or any DOT agency with regulatory authority over City of Bloomfield.

City of Bloomfield shall disclose drug and alcohol testing Information to the Missouri Department of Transportation as the oversight agency for the program.

To be considered for employment, all applicants will be asked to give consent to City of Bloomfield for a background check of the applicant's previous DOT covered employer over the past two years. The Information requested will include:

1. Alcohol test results of 0.04 or higher alcohol concentration
2. Verified positive drug tests
3. Refusals to be tested (including verified adulterated or substituted drug test results)
4. Other violations of DOT agency drug and alcohol testing regulations
5. With respect to any employee who violated a DOT drug and alcohol regulation, documentation of the employee's successful completion of DOT return-to-duty requirements (including follow-up tests)

13.0 PROPER APPLICATION OF THIS POLICY

The City of Bloomfield is dedicated to assuring fair and equitable application of this substance abuse policy; therefore, supervisors are required to use and apply all aspects of this policy in an unbiased and impartial manner. Any supervisor who knowingly disregards the requirements of this policy, or who is found to deliberately misuse the policy in regard to subordinates, shall be subject to disciplinary action, up to and including termination.

14.0 SYSTEM CONTACT

Any questions regarding this policy, or any other aspect of the drug free and alcohol free City of Bloomfield program, should contact the following City of Bloomfield system representatives: See attachment D.

15.0 FUTURE CHANGES OR MODIFICATIONS

City of Bloomfield, at the direction of the Missouri Department of Transportation, will update this drug and alcohol policy to reflect all regulatory modifications, clarifications, and FTA and US DOT interpretations that are relevant to our company. In addition, the City of Bloomfield reserves the right to change the provisions of this policy and testing program in the future. Employees will be notified in writing of any change(s) pertinent to this policy.

16.0 FORMAL APPROVAL OF POLICY

This drug and alcohol policy has been approved by the City of Bloomfield Board of Directors and will be strictly adhered to.

17.0 ADDITIONAL PROVISIONS

Drug-Free Workplace Act of 1988 Requirements for Organizations. All organizations covered by the Drug-Free Workplace Act of 1988 are required to provide a drug-free workplace by taking the following steps:

1. Publish and give a policy statement to all covered employees informing them that the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited in the covered workplace and specifying the actions that will be taken against employees who violate the policy.
2. Establish a drug-free awareness program to make employees aware of a) the dangers of drug abuse in the workplace; b) the policy of maintaining a drug-free workplace; c) any available drug counseling, rehabilitation, and employee assistance programs; and d) the penalties that may be imposed upon employees for drug abuse violations.
3. Notify employees that as a condition of employment on a Federal contract or grant, the employee must a) abide by the terms of the policy statement; and b) notify the employer, within five calendar days, if he or she is convicted of a criminal drug violation in the workplace.
4. Notify the contracting or granting agency within 10 days after receiving notice that a covered employee has been convicted of a criminal drug violation in the workplace.
5. Impose a penalty on—or require satisfactory participation in a drug abuse assistance or rehabilitation program by—any employee who is convicted of a reportable workplace drug conviction.
6. Make an ongoing, good faith effort to maintain a drug-free workplace by meeting the requirements of the Act.

Section D

Penny Schatz Transit Director
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Date of Approval APRIL 18, 2016

MAYOR BILL ASLIN

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ALDERMEN BONNIE BLUE

ALDERMEN PAT WILSON

ALDERMEN FRANK SIFFORD