

To: All Operators

From: Campbell County Government

Subject: Substance Abuse Policy for Campbell County

The health and safety of the general public at-large, residents of the area, their children, and our work force (employees and other service providers) is one of the most serious concerns of the Campbell County Board of Commissioners, (herein after Board). Drug use and alcohol misuse can pose a serious threat to our health and safety. It has been estimated that people who abuse alcohol or drugs have two times as many accidents, three times as many vehicular accidents, use three times as much sick leave and have twice the health insurance costs as those who do not.

A considerable amount of money covers absenteeism, accidents, equipment damage, and insurance premiums. It has been estimated that American companies spend over one hundred billion dollars each year on the consequences of substance abuse in the workforce. The financial cost of substance abuse is substantial: however, the emotional impact of losing a friend, co-worker, child, or family member to drugs or alcohol is even greater. In fact, there is no way to calculate the enormity of this kind of loss.

Each of us reacts differently to drugs and alcohol, but one thing is clear -- these substances affect our judgment and our ability to perform. The danger of abusing these substances becomes especially clear when you add a motor vehicle to this picture.

In an effort to prevent the effects of substance abuse in the transportation industry, the Federal Highway Administration of the Department of Transportation, the DOT, has expanded its current drug and alcohol regulations for motor carriers. These regulations can be found in Title 49, the Code of Federal Regulations, Part 382, entitled, "Controlled Substances & Alcohol Use and Testing," and Part 40, entitled, "Procedures for Transportation Workplace Drug Testing Programs".

The Board will comply with these regulations. The Board is committed to maintain a drug free work environment, in particular for Operators (as defined later in this document). Therefore, the Board has adopted the following substance abuse policy, and drug and alcohol testing program.

Policy Statement

Specifically, it is the policy of the Board that the use, sale, manufacture, purchase, transfer, possession, or the presence of any prohibited substance in an Operator's body system, including alcohol levels above those established herein, while engaged in County business or while performing Operator functions is strictly prohibited (except medications prescribed by a licensed physician) and the Operator will be terminated if in violation of the policy. The Board will notify and cooperate with law enforcement agencies in the investigation of any Operator suspected of manufacture, possession or trafficking of illicit or inappropriate drugs.

Additionally, all current and future Operators will be subject to the drug and alcohol testing program as set forth in this document. Any Operator or Operator Applicant who tests positive during the drug and alcohol testing will be terminated or precluded from employment or service with the Board. Any Operator/Operator Applicant who refuses to comply with a proper request to submit to testing, or fails to cooperate in the testing process, will be considered to have tested positive. The program procedures are designed not only to detect violations of this policy but to secure fairness to each Operator/Operator Applicant.

Every effort will be made to maintain the dignity of Operators/Operator Applicants involved. Disciplinary action will, however, be taken as necessary.

Neither this policy nor any of its terms are intended to create a contract of employment, or to alter the existing contractual relationship in any way. This policy is effective January 1, 1996 and supersedes all prior policies and statements related to Operators drug and alcohol abuse.

Grace Period

There is a sixty-day grace period prior to the implementation of random testing and testing based on reasonable suspicion as reflected in the announcement of the program. During this time, employees who need counseling and/or rehabilitation are encouraged to seek help. If an Operator should approach the Board for assistance through rehabilitation for drug abuse or alcohol abuse prior to a testing request by the Board, all possible and positive considerations for a medical leave of absence for treatment and/or counseling will be pursued. The Board is not required under these rules to provide rehabilitation or pay for treatment. If an Operator returns to duty the Board must ensure that the Operator: 1) has been evaluated by a substance abuse professional; 2) has complied with any recommended treatment; 3) has taken a return-to-duty alcohol test (with a result less than 0.02) and drug test (with a negative result); and 4) is subject to unannounced drug and alcohol tests above and beyond the normal random testing program. These additional testing requirements are at the cost of the Operator. If an Operator is terminated, the Board will not be obligated to provide assistance beyond the last day of employment. If a problem with controlled substances or alcohol abuse occurs at any time after the grace period, appropriate action will be taken in accordance with policy. The sixty-day grace period shall not apply to post-accident or pre-employment testing.

Every safeguard will be taken in the specimen collection process to ensure that all federally mandated chain of custody and laboratory criteria will be met. Operator privacy and confidentiality will be vigorously safeguarded.

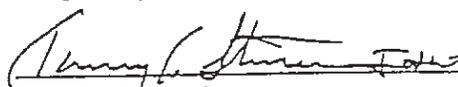
CAMPBELL COUNTY GOVERNMENT
ADHERES TO A POLICY OF NON-DISCRIMINATION
AGAINST OPERATOR SUFFERING FROM ALCOHOLISM OR DRUG ADDICTION
IF PROTECTED UNDER FEDERAL AND STATE GUIDELINES.

BE FOREWARNED: Courts have determined that current use of prohibited substances detected by testing may not protect Operators claiming protection under handicap statutes.

Prior to being tested, Operators will be permitted to declare the legitimate, medical use of any drugs. Such use must be supported by written acknowledgment form a licensed physician (i.e. a copy prescription).

Any Operator testing positive for the use of prohibited substances will terminated.

Very Truly Yours,


County Executive