

Town of Georgetown, Indiana

Resolution # R-10-04

A RESOLUTION RESCINDING ALL PUBLIC WORKS POLICIES THAT HAVE NOT BEEN MADE BY A RESOLUTION OR BY AN ORDINANCE OR APPROVED BY THE TOWN COUNCIL SINCE JANUARY 1, 2008

WHEREAS, the Town Council of the Town of Georgetown, Indiana (hereinafter this "Town Council"), is the legislative body of the Town of Georgetown, County of Floyd, State of Indiana (the "Town"); and,

WHEREAS, the Town Council is the entity responsible for managing the Town's operations, providing for the management of personnel for the Town, establishing policies, maintaining the efficiency of the Town, and taking action to carry out the mission of the Town; and,

WHEREAS, policies generated or endorsed by previous Councils or their delegates may not be compatible with the current mission of the Town; and,

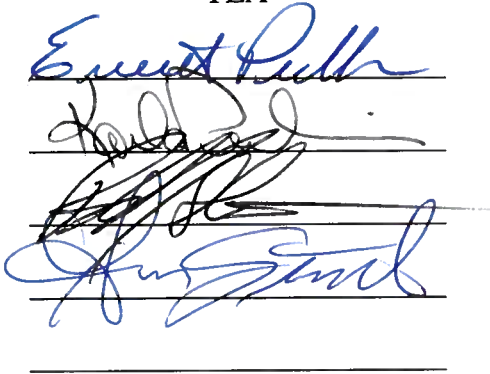
WHEREAS, this Town Council wishes to rescind all Public Works policies that have not been made by a resolution or by an ordinance or approved by the Town Council since January 1, 2008.

NOW, THEREFORE, BE IT RESOLVED BY THIS TOWN COUNCIL OF THE TOWN OF GEORGETOWN, INDIANA, AS FOLLOWS:


All Public Works policies that have not been made by resolution or by ordinance or approved by the Town Council since January 1, 2008 are hereby rescinded.

So ADOPTED by the Town Council this 16 day of February, 2009.

YEA



NAY



ATTEST:



Douglas Cook, Georgetown Clerk/Treasurer

Attachments to Resolution # R-10-04

Public Works Department Boot Policy, dated October 28, 2008
Public Works Department Carhartt Policy, dated January 12, 2009
Private Use of Town Issued Cellular Phones, dated January 12, 2009
Drug and Alcohol Policy for Sensitive Positions, dated March 9, 2009

To: **The Honorable Town Council Members**
From: **Jim D. Reynolds**
To: **October 28 2008**
To: **Public Works Department Boot Policy**

In compliance with IOSHA regulation § 1910.136 Foot Protection, the Town of Georgetown shall require all Public Works Employees to wear protective footwear while on the job. Criteria for protective footwear shall comply with ANZI Z41 1991, "American National Standard for Personal Protection-Protective Footwear." Boots must also be at least a six-inch lace-up with steel toes and with puncture resistant soles.

The Town of Georgetown will provide a \$150.00 allowance for a pair of boots. Boots will be replaced at the discretion of the Public Works Director as necessary. The Public Works Employees will be responsible for the care and maintenance of their footwear. In the event of termination or resignation within one-hundred-and-eighty days, employees will be required to surrender footwear or purchase at a prorated price.

This policy shall be in full force and effect as of the date of approval by the Town Council.

So ordained by this Town Council this 18 day of November 2008.

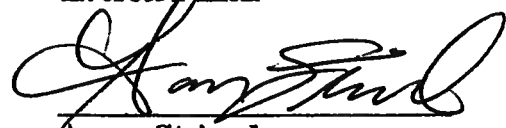
TOWN COUNCIL OF THE TOWN OF GEORGETOWN, INDIANA



Billy Stewart

Mike Mills

Karla Perkins

Everett Pullen

Aaron Striegel

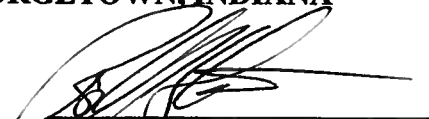
To: **The Honorable Town Council Members**
From: **Jim D. Reynolds**
To: **January 12, 2009**
To: **Public Works Department Carhartt Policy**

The Town of Georgetown will provide an allowance for a set of Carhartt bibs and coat. Carhartt bibs and coat will be replaced at the discretion of the Public Works Director as necessary. The Public Works Employees will be responsible for the care and maintenance of their Carhartt bibs and coat. In the event of termination or resignation within one-hundred-and-eighty days, employees will be required to surrender Carhartt bibs and coat or purchase at a prorated price.

This policy shall be in full force and effect as of the date of approval by the Town Council.

So ordained by this Town Council this 12 day of January, 2009.


TOWN COUNCIL OF THE TOWN OF GEORGETOWN, INDIANA



Billy Stewart



Everett Pullen



Karla Perkins



Mike Mills



Aaron Striegel

TOWN OF GEORGETOWN, INDIANA
POLICY FOR THE PRIVATE USE OF TOWN ISSUED CELLULAR PHONES

Effective the 12 day of Jan, 2009

INTRODUCTION

The Town of Georgetown, Indiana ("Georgetown") may from time-to-time in the discretion of the Town Council issue cellular phones ("cell phones") to various Georgetown employees as deemed necessary by the town council. This Policy governs the use of such cell phones by employees to whom they are issued. This policy provides rules and guidelines for the limited personal use of cell phones by employees. The rules and guidelines are to be strictly construed and followed.

PURPOSE

To provide guidelines and criteria for the responsible and reasonable use of Georgetown cell phones issued to Georgetown employees.

SHORT FORM POLICY

Subject to the provisions of this Policy, Personal use of the Georgetown issued cell phones is permissible if:

1. No more than minimal expense to Georgetown results;
2. It does not interfere with official business;
3. It takes place during the employees' personal versus official time;
4. It is not used to earn outside income or for private gain;
5. It does not involve pornography, or illegal use; and,
6. In the supervisor's judgment:
 - a) It does not adversely affect the performance of official duties by the employee or the employee's organization;
 - b) It is of reasonable duration and frequency;
 - c) It reasonably could not have been made at another time.

Georgetown's policy on personal use of Georgetown issued cell phones now authorizes use of Georgetown issued cell phones to conduct official business, as well as limited personal use.

LIMITED AUTHORIZATION FOR PERSONAL USE

This policy authorizes the limited personal use of cell phones by Georgetown employees in the workplace on an occasional basis provided that the use involves minimal expense to the Government and does not interfere with official business. Occasional personal use of cell phones shall normally take place during the employees' personal time.

NO OUTSIDE INCOME OR PRIVATE GAIN

Cell phones and official time shall not be used to earn outside income. Employees shall not use telecommunications resources or official time for private gain. Employees shall exercise common sense and good judgment in the personal use of cell phones. Official Government business always takes precedence over the personal use of telecommunications resources.

PROHIBITED BEHAVIORS

While the occasional use of cell phones in moderation is acceptable, uses not conforming with this order are strictly prohibited. Also, employees are expected to conduct themselves professionally in the workplace and to refrain from using telecommunications resources for activities that are inappropriate or offensive to co-workers or the public, such as the use of sexually explicit materials or remarks that ridicule others on the basis of race, creed, religion, color, sex, handicap, national origin, or sexual orientation. Georgetown equipment should never be used to engage in communications that may be deemed pornographic or involve gambling or promoting hate or violence. Such activity could lead to disciplinary action -- Georgetown has a zero tolerance policy.

ETHICAL STANDARDS

The following general principles apply to every Georgetown employee and form the basis for the standards contained in this policy. Where a situation is not covered by the standards set forth in this policy, employees shall apply the principles set forth in this section in determining whether their conduct is proper.

- (1) Employees shall not engage in financial transactions using nonpublic Government information or allow the improper use of such information to further any private interest.
- (2) An employee shall not, except as otherwise expressly permitted, solicit or accept any gift or other item of monetary value from any person or entity seeking official action from, doing business with, or conducting activities regulated by the employee's agency, or whose interests may be substantially affected by the performance or nonperformance of the employee's duties.
- (3) Employees shall not knowingly make unauthorized commitments or promises of any kind purporting to bind the Government.
- (4) Employees shall protect and conserve Georgetown property and shall not use it for other than authorized activities.
- (5) Employees shall not engage in outside employment or activities, including seeking or negotiating for employment, that conflict with official Georgetown duties and responsibilities.

(6) Employees shall adhere to all laws and regulations concerning employment and equal opportunity for all Americans regardless of race, color, religion, sex, national origin, age, or handicap.

(7) Employees shall endeavor to avoid any actions creating the appearance that they are violating the law or the ethical standards set forth in this part. Whether particular circumstances create an appearance that the law or these standards have been violated shall be determined from the perspective of a reasonable person with knowledge of the relevant facts

NO EXPECTATION OF PRIVACY

Employees have NO EXPECTATION OF PRIVACY in phone calls made or received on Georgetown issued cell phones.

LOGGING OR ACCOUNTING FOR PRIVATE USE

All use of Georgetown issued cell phones for private purposes must be logged or accounted for in order to withhold income taxes commensurate with the value of such private use. The private use of cell phones is considered by Georgetown to be a taxable benefit for which all users must pay the appropriate federal, state, and local income taxes. The Georgetown Clerk-Treasurer is responsible for tracking private use and withholding commensurate income taxes.

LIMITATIONS OR PROHIBITIONS ON USE

Use of Georgetown cell phones for personal use is a privilege and not a right or any form of compensation for the purpose of wages or employment. To the extent such use may be a taxable benefit according to the Internal Revenue Service Georgetown takes no position. Any and all use of Georgetown cell phones may be limited or prohibited at ANY TIME for ANY REASON. Such prohibition or limitation shall be in the discretion of the director of each department or the Georgetown Chief Executive.

TOWN OF GEORGETOWN, INDIANA DRUG AND ALCOHOL POLICY FOR SAFETY SENSITIVE POSITIONS

FEDERAL DRUG AND ALCOHOL TESTING POLICY

PURPOSE

It is the policy of **TOWN OF GEORGETOWN (TOWN)** that federally regulated employees and employees in safety sensitive positions are free of substance abuse and alcohol abuse. Consequently, the use of illegal drugs by employees is prohibited. Further, employees shall not use alcohol or engage in “prohibited conduct” as defined herein. The overall goal of this policy is to ensure a drug and alcohol—free environment and to reduce accidents, injuries, and fatalities. A copy of this policy and information regarding the harmful effects of drugs and alcohol is available to all employees. The Public Works Director is designated as the person to answer questions regarding this policy. Hereafter the term “employee” shall refer to employees in safety sensitive positions to which Department of Transportation (DOT) drug testing policies apply).

SAFETY SENSITIVE FUNCTION

Definition: *Safety-sensitive function* is all time spent either waiting to be dispatched; inspecting equipment or otherwise inspecting, servicing, and/or conditioning any commercial motor vehicle; driving in or upon a commercial motor vehicle (with the exception of driving a passenger vehicle carrying papers only); loading/unloading a vehicle, supervising or assisting in the loading/unloading process, attending a vehicle being loaded/unloaded, remaining in readiness to operate a vehicle, or giving or receiving receipts for shipments loaded/unloaded; performing accident related duties; or repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle. A supervisor, mechanic or clerk, etc., who is on call to perform safety sensitive functions may be tested at any time they are on call, ready to be dispatched while on duty.

TYPES OF TESTS

Pursuant to regulations promulgated by the Federal Motor Carrier Safety Administration (FMCSA) and the DOT, the **TOWN** has implemented six circumstances for drug and alcohol tests: (1) pre-employment, (2) reasonable suspicion, (3) random, (4) post accident, (5) return-to-duty, and (6) follow-up.

REFUSAL TO TEST

Substitution, adulteration, or refusal to submit to the types of drug and alcohol tests employed by the **TOWN** will be grounds for refusal to hire employee/applicants and to terminate employment of existing employees. A refusal to test is defined to be conduct that would obstruct the proper administration of a test. A delay in providing a urine or breath sample could be considered a refusal. If an employee cannot provide a sufficient urine specimen or adequate breath sample, a physician of the **TOWN'S** choice will evaluate him or her. If the physician cannot find a legitimate medical explanation for the inability to provide a specimen (either urine or breath), it will be considered a refusal to test. In that circumstance, the employee has violated one of the prohibitions of the

regulations.

Refusal to submit (to an alcohol or controlled substances test) means:

1. Fail to appear for any test (except a pre-employment test) within a reasonable time, as determined by the employer, consistent with applicable DOT agency regulations, after being directed to do so by the employer. This includes the failure of an employee (including an owner-operator) to appear for a test when called by a C/TPA (see §40.61(a) of this title);
2. Fail to remain at the testing site until the testing process is complete. Provided, that an employee who leaves the testing site before the testing process commences (see §40.63(c) of this title) a pre-employment test is not deemed to have refused to test;
3. Fail to provide a urine specimen for any drug test required by this part or DOT agency regulations. Provided, that an employee who does not provide a urine specimen because he or she has left the testing site before the testing process commences (see §40.63(c) of this title) for a pre-employment test is not deemed to have refused to test;
4. In the case of a directly observed or monitored collection in a drug test, fails to permit the observation or monitoring of the employee's provision of a specimen (see §40.67(1) and §40.69(g) of this title);
5. Fail to provide a sufficient amount of urine when directed, and it has been determined, through a required medical evaluation, that there was no adequate medical explanation for the failure (see §40.193(d) (2) of this title);
6. Fail or declines to take a second test the employer or collector has directed the employee to take;
7. Fail to undergo a medical examination or evaluation, as directed by the MRO as part of the verification process, or as directed by the DER under §40.193(d) of this title. In the case of a pre-employment drug test, the employee is deemed to have refused to test on this basis only if the pre-employment test is conducted following a contingent offer of employment;
8. Fail to cooperate with any part of the testing process (e.g., refuse to empty pockets when so directed by the collector, behave in a confrontational way that disrupts the collection process);
9. Is reported by the collector as having a verified adulterated or substituted test result.

CONSEQUENCES OF POLICY VIOLATION

Any employee who becomes unqualified or engages in prohibited conduct as set forth herein may be subject to termination of employment.

PRE-EMPLOYMENT TESTING

Before an employee performs any safety-sensitive functions for an employer, the employee must submit to testing for drugs. The employer must receive a negative result from the medical review officer (MRO) prior to allowing the employee to drive or perform other safety-sensitive functions. (Note: The pre-employment regulations are listed in §382.301. However, §382.301(e) suspends pre-employment alcohol testing as of (May 1, 1995.)

RANDOM TESTING

The TOWN conducts random drug/alcohol testing of personnel in safety sensitive positions. The TOWN or its agents will submit all mandated employees to a computerized random selection system. The random selection system provides an equal chance for each employee to be selected each time

random selection occurs. Random selections will be reasonably spread throughout the year. Random selection by its very nature may result in employees being selected in successive selections or more than once a calendar year. Alternatively, some employees may not be selected in a calendar year.

If an employee is selected at random for either drug or alcohol testing a TOWN official will notify the employee. Once notified, every action the employee takes must lead to a collection. If the employee engages in conduct that does not lead to a collection as soon as possible after notification, such conduct may be considered a refusal to test.

POST ACCIDENT TESTING

Both drug and alcohol testing is performed following any accident involving a fatality; or any accident in which the employee receives a citation under state or local law for a moving traffic violation arising from the accident. (An accident is defined as an incident involving a vehicle in which there is a fatality, an injury treated away from the scene, or where a vehicle is towed from the scene.) After any accident, the employee must contact the employer as soon as possible.

The *FMCSA/DOT* requires that any time a post-accident drug or alcohol test is required, that it be performed as soon as possible following the accident. If collection for an alcohol test can be made within eight (8) hours, attempts to collect a breath sample shall cease. If no urine collection can be obtained for purposes of post-accident drug testing within thirty-two (32) hours, attempts to make such a collection shall cease. All attempts shall be documented.

In the event that federal, state, or local officials conduct breath or blood tests for the use of alcohol and/or urine tests for the use of controlled substances following an accident, these tests shall be considered to meet the requirements of this section, provided the tests conform to applicable federal, state, or local requirements. The employee will sign a release allowing the TOWN to obtain the test results from federal, state, or local officials.

In the event an employee is so seriously injured that the employee cannot provide a urine specimen or breath sample at the time of the accident, the employee must provide necessary authorization for the TOWN to obtain hospital records or other documents that would indicate whether there were controlled substances or alcohol in the employee's system at the time of the accident.

REASONABLE SUSPICION TESTING

A covered employee must be tested for alcohol misuse when the TOWN has reasonable suspicion to believe that the employee has violated the rules regarding use of alcohol. A determination that reasonable suspicion exists must be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, or body odors of the employee. Reasonable suspicion testing is authorized only if the required observations are made during, just preceding or just after the period of the workday that the covered employee is performing a safety-sensitive function. A supervisor trained in detecting the symptoms of alcohol misuse must make the observation and determination that a reasonable suspicion exists; however, the supervisor making the determination is not to conduct the reasonable suspicion test on that employee. A written record of the observations leading to a controlled substance reasonable suspicion test must be made and signed by the supervisor who made the observations. This record must be made within 24 hours of the observed behavior or before the results of the controlled substance test are released, whichever is earlier.

RETURN-TO-DUTY

Amended 8/31/09 J

This testing is required for employees who want to return to work after being unqualified for a safety-sensitive function. The return-to-duty testing can be done once the referral/evaluation has been completed. Return-to-duty testing requires a negative result prior to the employee returning to a safety-sensitive function.

FOLLOW-UP

Follow-up testing is required after rehabilitation for a drug or alcohol misuse problem and a return-to-duty test. Six unannounced follow-up tests are required within one year of evaluation and treatment by a Substance Abuse professional (SAP).

PROHIBITED CONDUCT

The following shall be considered "prohibited conduct" for purposes of this policy:

No employee shall report for duty or remain on duty while having an alcohol concentration of 0.02 or greater.

No employee shall be on duty or operate a commercial motor vehicle while in possession of alcohol unless the alcohol is transported and manifested as part of a shipment.

No employee shall use alcohol while performing safety-sensitive functions.

No employee shall perform safety-sensitive functions within eight (8) hours after using alcohol.

No employee required to take a post-accident alcohol test shall use alcohol for eight (8) hours following the accident or until he/she undergoes a post-accident alcohol test, whichever occurs first.

No employee shall refuse to submit to a post-accident, a random, a reasonable suspicion, return-to-duty, follow-up, or post-injury breath-alcohol or urine drug test.

No employee shall report for duty or remain on duty when the employee uses any controlled substance, except when use is pursuant to the instructions of a physician who has advised the employee that the substance does not adversely affect the employee's ability to operate a commercial motor vehicle or perform a safety sensitive function.

If the **TOWN** has actual knowledge or has reason to believe that an employee has engaged in prohibited conduct, the **TOWN** may require the employee to submit to drug and/or alcohol testing. If an employee engages in prohibited conduct, the employee is not qualified to drive a commercial motor vehicle or to perform a safety-sensitive function and shall be immediately removed from service. The **TOWN** may in its discretion and at the request of the employee, keep the employee's position open while such employee attempts to become re-qualified. At its discretion, **TOWN** may also take action against the employee up to and including termination.

AUTHORIZATION FOR PREVIOUS TEST RECORDS

Within 30 days of performing a safety-sensitive function, federal regulations require that the TOWN obtain certain drug and alcohol testing records from employee's previous employers for the previous (3) three years of employment. (Other forms: work record (3) three years, DMV and Hazmat (7) seven years, drug and alcohol authorization form from past employers, (2) two years.)

As a condition to employment, the employee shall provide the TOWN with a written authorization for all previous employers within the three years to release such drug and alcohol testing records as are required under federal regulation.

DRUG URINALYSIS

Drug testing will be performed through urinalysis. Urinalysis will test for the presence of drugs and/or metabolites of the following controlled substances: (1) marijuana, (2) cocaine, (3) opiates, (4) amphetamines, and (5) phencyclidine (PCP)

The urinalysis procedure starts with the collection of a urine specimen. Urine specimens will be submitted to a SAMHSA certified laboratory for testing. As part of the collection process, the specimen provided will be split into two vials; a primary vial and a secondary vial. The SAMHSA certified laboratory will perform initial screenings on all primary vials. In the event that the primary specimen tests positive, a confirmation test of that specimen will be performed before being reported by the laboratory to the MRO as a positive.

All laboratory results will be reported by the laboratory to a Medical Review Officer (MRO) designated by the TOWN. Negative test results shall be reported by the MRO to the TOWN. Before reporting a positive test result to the TOWN, the MRO will attempt to contact the employee to discuss the test result. If the MRO is unable to contact the employee directly, the MRO will contact a TOWN management official designated in advance by the TOWN who shall in turn contact the employee and direct the employee to contact the MRO. Upon being so directed, the employee shall contact the MRO immediately or, if after the MRO's business hours and the MRO is unavailable, at the start of the MRO's next business day. In the MRO's sole discretion, a determination will be made as to whether a result is positive or negative.

Pursuant to FMCSA/DOT regulations, individual test results for applicants and employees will be released to the TOWN and will be kept strictly confidential unless consent for the release of the test results has been obtained. Any individual who has submitted to drug testing in compliance with this policy is entitled to receive the results of such testing upon timely written request.

An individual testing positive may make a request of the MRO to have the secondary vial tested. A SAMHSA certified laboratory will test the secondary vial different from the one that tested the primary specimen. The individual making the request for a test of the second specimen must pre-pay all costs associated with the test. The request for testing of a second specimen must be made to the MRO within 72 hours of the individual being notified by the MRO of a positive test result.

ALCOHOL TESTS

The TOWN will perform alcohol tests using an evidential breath-testing device. The TOWN may provide use of an evidential breath-testing device through a vendor or agent. The employee shall

report to the site of an evidential breath-testing device as notified by the **TOWN**. A breath alcohol technician will operate the evidential breath-testing device. The employee shall follow all instructions given by the breath alcohol technician.

In the event that an employee has a blood alcohol content of 0.02 to 0.0399 on the basis of the evidential breath, the employee shall be removed from duty for 24 hours or until his/her next scheduled on-duty time, whichever is longer. Employees are not medically qualified until after the 24-hour time frame expires. Employees with tests indicating a blood alcohol concentration of 0.04 or greater are considered to have prohibited conduct which may result in disciplinary action up to and including termination. All alcohol tests shall be performed just prior to, during, or just after duty.

TRAINING

For Designated Employer Representative (DER) and Supervisors:

The **TOWN** shall ensure that Supervisors who are designated to determine whether reasonable suspicion exists to require an alcohol test must receive at least 60 minutes of training on the physical, behavioral, speech, and performance indicators of probable alcohol misuse. Supervisors who are designated to determine whether reasonable suspicion exists to require a controlled substance test must receive at least 60 minutes of training on the physical, behavioral, speech, and performance indicators of probable use of controlled substances under §382.307.

For Employees:

The **TOWN** shall provide educational materials that explain the requirements of §382.601, consequences of violating the regulations, materials that explain the harmful effects of alcohol and drug abuse, and the employer's policies and procedures with the respect to meeting these requirements. The materials supplied to employees may include information on additional employer policies with respect to the use or possession of alcohol or controlled substances, for example, the consequences for a employee found to have a specified alcohol or controlled substances level based on the employer's authority independent of §382.601. The **TOWN** shall ensure that each employee sign a required statement certifying that he/she has received a copy of these materials described in §382.601. (See the "Driver Education Packet" for information and signature page.)

This policy is not intended, nor should it be construed, as a contract between the **TOWN** and the employee. This policy may be changed at any time at the sole discretion of the **TOWN**.

**DRUG AND ALCOHOL TESTING PROGRAM
EMPLOYEE ACKNOWLEDGMENT AND CONSENT**

Employee Name (please print)

EMPLOYEE ACKNOWLEDGMENT

I, the undersigned employee of the **TOWN OF GEORGETOWN**, acknowledge that I have received a copy of said **TOWN'S DOT** Drug and Alcohol testing program, including its Employee Assistance Program. I certify that I understand the policy and provisions described in it and agree to follow the provisions contained therein.

I further acknowledge that I have received written information regarding FMCSA/DOT testing requirements, drug and alcohol testing procedures, the name(s) of person(s) designated to answer questions about the testing policy and procedures, the effects of drugs and alcohol on an individual's health, work and personal life, and the TOWN'S Employee Assistance Program (EAP),

+++++

REFUSAL OF THE TEST

I am fully aware and agree that I may be discharged or disciplined for any violation by me of said DOT Alcohol and Drug Policy for any failure or refusal to provide urine and/or breath specimens when requested by my employer, for the failure or refusal to identify and certify same, for the failure to cooperate with the form and other documents, and/or for any other failure or refusal to cooperate with my employer in its said DOT Alcohol and Drug Testing Program.

Under FMCSA/DOT regulations, substitution and/or adulteration of a specimen will be treated as a refusal to test. Such refusals shall be treated as a positive test result for the purpose of the regulations.

Any employee involved in a fatality accident who refuses to submit to a post-accident drug test in a timely manner shall be disqualified to drive a commercial motor vehicle for a period of one year.

Executed this the _____ day of _____, 20__

Employer's signature

Employee's signature

Social Security Number

DRUG AND ALCOHOL AMENDMENT
TOWN OF GEORGETOWN

DATE

All employees of **TOWN OF GEORGETOWN**, who test positive for drugs and/or alcohol, will assume responsibility for all incurred testing fees. This includes positive results on pre-employment, probable cause, random, post-injury and post-accident testing.

All employees who request that split specimens be forwarded to another laboratory will be responsible for the cost.

Any employee who tests positive and is referred for SAP evaluation will be required to incur the costs for the return-to-duty testing and all follow-up testing required by FMCSA/ DOT and/or the **TOWN**.

EMPLOYEE SIGNATURE

DATE

PRE-EMPLOYMENT URINALYSIS NOTIFICATION

The Federal Motor Carrier Safety Regulations, Section 391.103 Pre-employment testing requirements, apply to driver applicants of this company.

391.103 Pre-employment testing requirements.

- a. A motor carrier shall require a driver-applicant who the motor carrier intends to hire or use to be tested for the use of controlled substances as a prequalification condition.
- b. A driver-applicant shall submit to controlled substance testing as a prequalification condition.
- c. Prior to collection of a urine sample under 391.107 of this subpart, a driver-applicant shall be notified that the sample will be tested for the presence of controlled substances.

As a condition of my employment, I agree to the urine sample collection and controlled substance testing.

I understand a positive test for controlled substance based on the Urinalysis Test will medically disqualify me from the operation of a commercial motor vehicle for this company.

The Medical Review Officer will maintain the results of the Urinalysis Test. Negative and positive results will be reported to the company.

My written authorization is required for the Urinalysis Test results to be given to other parties.

I have read and understand the above conditions for the Pre-employment Urinalysis Notification.

Applicant's Name (Print or Type)

Applicant's Signature

Date: _____

Representative's Signature

Date: _____

DRUG ALCOHOL TESTING NOTIFICATION AND CONSENT

I understand as required by the DOT Regulations, 49 CER Part 382, and company policy, all prospective drivers must submit to a controlled substance test involving collection of a urine sample which will be tested for the following controlled substances: marijuana, cocaine, opiates, amphetamines, and phencyclidine (PCP).

I understand, if I test positive for use of controlled substances, I am not medically qualified to operate a commercial motor vehicle. I also understand I will be given a reasonable opportunity to confer with the company's Medical Review Officer before any positive test result is reported to the company.

The result of the drug test will be maintained by the Medical Review Officer for the company who will report whether the test result was negative or positive to the motor carrier. The Medical Review Officer or the company may also release the result to my examining physician in connection with my DOT-required physical. The results will not be released to any additional parties without my written authorization.

I also understand, under March 1994 Final Regulations Part 382, if I test with a measurable Blood Alcohol Content (BAC) of .04 or greater, I cannot return to duty until I see a SAP (Substance Abuse Professional) to resolve alcohol or drug misuse, and produce a result of less than .02 for alcohol and negative drug test, under SAP authorization.'

I hereby agree to submit to a urine drug test and breathalyzer alcohol test.

PRINT APPLICANT'S NAME

APPLICANT'S SIGNATURE

DATE

REQUEST/CONSENT FORM FOR INFORMATION FROM PREVIOUS EMPLOYER(S)
FOR
ALCOHOL AND CONTROLLED SUBSTANCES TESTING RECORDS

Instructions:

Section 1 must be completed by prospective employee before mailing this form to previous employer(s), applicable portion of Section 2 (company name, address, phone), and Section 3 must be completed by supervisor prior to mailing.

SECTION 1: TO BE COMPLETED BY PROSPECTIVE EMPLOYEE

Date: _____

Print Name (first, middle initial, last)

Signature

I, the above mentioned signed, hereby authorize _____ (my previous employer) to release and forward all information regarding my alcohol, and controlled substance testing and training record to:

TOWN OF GEORGETOWN
P. O. BOX 127
GEORGETOWN, INDIANA 47122

SECTION 2: TO BE COMPLETED BY PREVIOUS EMPLOYER

Instructions for previous employer(s): Section 2 must be completed by an authorized representative of your organization. Mail or fax completed form with accompanying information within 14 days of receipt to:

TOWN OF GEORGETOWN
P. O. BOX 127
GEORGETOWN, INDIANA 47122

Previous Employer: _____

Contact: _____

Address: _____

City, State, ZIP: _____

Phone: _____

1. Has this person ever tested positive for a controlled substance in the last two years?
YES ___ NO ___

2. Has this person had an alcohol test with a breath alcohol concentration 0.04 or greater in the last two years? YES ___ NO ___

3. Has this person refused a required test for drugs or alcohol in the last two years?
YES ___ NO ___

If YES to any of the above questions, please give the SAP's (Substance Abuse Professional) name, address, and phone number for further reference:

Name: _____

Address: _____

Phone: _____

Printed name of individual completing this form.

SECTION 3: TO BE COMPLETED BY PROSPECTIVE EMPLOYER

Release of Information:

Person interviewed from previous employer

Interviewed by: _____

Date: _____

Consent Form:

Date Faxed _____

or

Date Mailed _____

Interview Method:

Mailed _____

Phone _____

Personal Interview _____

THIS IS IN COMPLIANCE WITH 382.405(F) AND (H), WHICH STATES:

(F). Records shall be made to a subsequent employer upon receipt of written request from a driver. Disclosure by that subsequent employer is permitted only as expressly authorized by the terms of the driver's request.

(H). An employer shall release information regarding driver's records by the specific written consent of the driver authorizing release of the information to an identified person. Release of such information by the person receiving the information is permitted only in accordance with the terms of the employee's consent.

328.413 (A)(B)(C)(E)(F) FURTHER STATES:

(A). An employer may obtain, pursuant to a driver's written consent, any of the information concerning the driver's record maintained under this part by the driver's previous employer.

(B). An employer shall obtain, pursuant to a driver's written consent, all information about the driver's alcohol tests with a concentration result of 0.04 or greater, positive controlled substances test results, and refusal to be tested within the preceding two years which are maintained by the driver's previous employers under 382.401 (B)(1)(I) through (III).

(C). The information in paragraph (B) of this section must be obtained and reviewed by the employer no later than 14 calendar days after the first time a driver performs safety-sensitive functions for an employer.

(E). The prospective employer must provide to each of the driver's employer within two preceding years the driver's specific written authorization for release of the information for release of the information in paragraph (B).

(F). The release of information under this part may take the form of personal interviews, telephone interviews, letters, or any other method of obtaining information that ensures confidentially. Each employer must maintain a written confidential record with respect to each past employer contracted.

INDIANA TESTING, INC.
317-271-2611 OR 800-295-2587
Fax: 317-271-6332

**AUTHORIZATION FOR POST ACCIDENT
DRUG AND ALCOHOL TESTING**

This is to certify that I am giving consent for all documents be released to my employer that would indicate whether there were any controlled substances and/or alcohol in my system at the time of medical treatment as a result of a job related accident where I may be too seriously injured to submit to a normal alcohol and/or controlled substance test.

Employee Signature

Date

Employers Signature

Date

Upon receipt of these reports and documents it was determined the employee's testing showed:
Negative for Alcohol _____ or Positive for Alcohol _____

Negative for Controlled Substance _____ or Positive for Controlled Substances _____

Positive tests for alcohol/controlled substances requiring additional testing and/or investigation.
Yes ___ No ___

ADDENDUM TO DRUG AND ALCOHOL POLICY

Beginning August 31, 2009, all return-to-duty testing must be observed by a collector of the same sex except when performed by physicians or nurses (§40.67(b)).

Beginning August 31, 2009, all follow-up testing must be observed by a collector of the same sex except when performed by physicians or nurses (§40.67(b)).

Employee Signature

Date