

CITY OF EUREKA

Category: PERSONNEL

POLICIES & PROCEDURES

Subject: PRE-EMPLOYMENT DRUG  
SCREENING POLICY

Date Adopted:  
September 5, 2000

File 3.43  
Number

## I. PURPOSE OF THE POLICY

In accordance with the Drug-Free Workplace Act of 1990, the City of Eureka is committed to providing a Drug-Free workplace for all City employees. This policy is separate and apart from the City's existing Drug and Alcohol Testing Policy, which governs such testing under the Federal Department of Transportation (DOT) regulations. The purpose of this policy is to affirm the City's commitment to maintain a drug-free workplace by defining the criteria for the pre-employment drug screening of candidates for certain types of City positions which are not subject to the DOT regulations.

## II. STATEMENT OF INTENT

All City employees are expected to safely perform the duties of their position. When an employee uses drugs, or is under the influence of drugs, in the workplace, they threaten the safety and security of themselves, their co-workers, and the public. The City will not tolerate such behavior, and seeks to prevent the hiring of such candidates through the use of pre-employment drug screening.

## III. CRITERIA FOR PRE-EMPLOYMENT DRUG SCREENING

The criteria for candidates to undergo pre-employment drug screening includes, but is not limited to:

- The position is within the Fire Department or Police Department (Public Safety)
- The position is reasonably expected to perform work in the Fire and/or Police Departments which may provide access to confidential information.
- The position is reasonably expected to safely operate hand tools, equipment, machinery, etc., on a routine basis.
- The position is reasonably expected to safely operate vehicles (i.e., cars, trucks, heavy equipment, etc.) on a routine basis.

## IV. PRE-EMPLOYMENT DRUG SCREENING PROCEDURE

When completing an application form for City employment, all candidates sign a statement acknowledging that they may be required to take and pass drug and/or alcohol screening tests as a condition of employment. After a contingent offer of employment is made, the candidate will be informed of each of the pre-employment tests they will be required to undergo. If a drug screen is required, the following procedure will be followed:

1. Candidates will be asked to come to the Personnel office, where they will be provide with an information sheet regarding their pre-employment drug screen, including the address of the designated testing facility with a map. The sheet will inform the candidate that:

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- They are required to report for their drug screen within two hours of receiving the information sheet;
  - They are required to take a form of picture ID with them to the testing facility;
  - A positive test result will result in a withdrawal of the employment offer; and
  - Failure to report to the testing facility within two hours will be considered a positive test result.
2. At the testing facility, the drug screening procedure will be explained to the candidate, and they will have the opportunity to ask questions. The testing facility laboratory will be licensed by the Department of Health and Human Services under the Clinical Laboratory Act.
  3. The candidate will be asked to sign a waiver giving permission to perform the drug screening. Listed on the waiver will be all the drugs or substances a candidate is currently ingesting, otherwise using, or has been exposed to, which may cause a positive test result. For all claimed prescriptions, the testing facility will verify the prescribing doctor and the pharmacy.
    - a. If the candidate refuses to sign the waiver to consent to the drug screen, (s)he will be advised that, without the signed consent form, the drug screening will not be conducted, and the testing facility will notify the City that the test could not be completed.
    - b. If the candidate signs the consent form, but attempts to reschedule providing the specimen, (s)he will be advised that the specimen must be provided at that time, or the testing facility will notify the City that the test could not be completed.
    - c. If advised of either (a) or (b) above, the City will notify the candidate that :
      1. They have been disqualified for employment because they did not complete the drug screen
      2. They will not be allowed to test at another time, and
      3. They will remain disqualified from the position for which they had been offered contingent employment until after one year from the date of disqualification, or upon the expiration of the employment eligibility list, whichever date is longer.
  4. The medical provider at the testing facility presents the candidate with a special empty sterile container

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5. Although a urinalysis will generally be the drug screening test used, under special circumstances where medically advisable, the medical provider may elect to perform a blood test in lieu of a urinalysis.
6. In order to prevent tampering with the sample, the candidate will be accompanied to a restroom by a representative of the testing facility when giving a sample.
7. The toilet water in the cubicle where the candidate is giving the sample will be blue to prevent the applicant from diluting the urine sample with toilet water
8. The medical representative will stand outside the restroom to assure that there is no tampering with the urine sample, but there will be no direct observation of the applicant actually giving the sample. A minimum of 45 ml. of urine will be required for the testing procedure.
9. The applicant will return the filled container to the medical representative, who will determine if it is the appropriate temperature by reading the temperature label on the sample container within four minutes.
  - a. If the urine is not within an appropriate temperature range, the candidate will be asked for a new urine sample, as there would be reason to believe there may be a problem with the urine.
10. The candidate's urine will be tested by enzyme immunoassay (EMIT). If there is a positive finding it will then be confirmed by using a different methodology, the gas chromatography/mass spectrophotometry (GC/MS).
11. If the test reveal one positive and one negative result, the overall test is considered negative. If both the EMIT and GC/MS tests are positive, the overall test is considered positive. A positive test result will be sent to a second designated laboratory for confirmation of the result. The positive test samples are retained frozen by the designated testing facility for a period of one year.
12. The written results of each drug screening test are forwarded by the testing facility to the applicable City Personnel Department representative. In some cases, upon request of the City, the testing facility may provide verbal results in addition to, and in advance of, the written results. Once written results are received, Personnel staff will notify the candidate of their status. For specific information on the actual finding of the drug screen, the candidate must contact the testing facility.

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#### V. DRUGS TESTED FOR/DISQUALIFYING LEVELS (EMIT)

1. The drug screening chemical analysis includes detection and screening cutoff levels of the following substances:

<b>Substance</b>	<b>Screening Cutoff Level (EMIT)</b>
Amphetamines	1,000 ng/ml
Barbiturates	300 ng/ml
Opiates	300 ng/ml
Benzodiazepines	1,000 ng/ml
Cocaine	300 ng/ml
Phencyclidine	25 ng/ml
Cannabinoids	20 ng/ml

*These substances and levels are subject to change depending upon applicable regulations.*

2. All findings are reported in nanograms per milliliter (ng/ml)
3. In the event a blood test is administered in lieu of a urine test, the same cutoff levels will apply.
4. If confirmation testing is necessary, it will be done for the same substances, and the same cutoff levels will apply.

#### VI. QUALIFYING CIRCUMSTANCES FOR POSITIVE DRUG SCREENING RESULTS

Candidates who test positive for the drugs listed in Section V due to the use of a prescribed drug will not be disqualified from employment, as long as its use does not preclude them from safely performing the essential job functions of the position for which they are being tested. The City may require an applicant to obtain, at their own cost, reasonable medical assurance of their ability to perform these essential job functions.

#### VII. MAINTENANCE OF RECORDS

Drug screen results are maintained by the City of Eureka with other medical records pertaining to candidates and employees within the City. These files are kept as separate, confidential files apart from Personnel Files, and are therefore exempt from inspection. Results maintained by the designated testing facility and/or the confirmation testing facility are also kept confidential. City records shall be maintained according to the approved Records Retention Policy. The testing facility shall destroy records pertaining to negative test results, but shall maintain records pertaining to positive test results for one year.

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#### VIII. REAPPLICATION PERIOD

Candidates removed from an eligibility list due to medical disqualification resulting from a positive drug screen, may reapply for employment with the City after one year from the date of disqualification, or upon the expiration of the employment eligibility list, whichever date is longer.

#### IX. DISTRIBUTION OF POLICY

All candidates subject to this policy will be provided with a copy upon being offered employment with the City. Employment is contingent upon successfully completing the entire pre-employment testing process.

Any question regarding pre-employment drug screening should be directed to the Personnel Department.