

NEWBERRY COUNTY RESCUE SQUAD OR FIRE DEPARTMENT SUBSTANCE ABUSE POLICY

1. Purpose . The intent of this policy is to document the Rescue Squad or Fire department's position with respect to alcohol and drug abuse (substance abuse). The Rescue Squad or Fire department's position requires procedures that are designed to:

- 1.1. Establish and maintain a safe, healthy working environment for all volunteers;

- 1.2. Ensure the reputation of the Rescue Squad or Fire department and its volunteers as good , responsible citizens;

- 1.3. Reduce the incidence of accidental injury to volunteers and property.

- 1.4. Reduce absenteeism, indifferent job performance, and other non-productive actions.

2. Scope of General Policy. Alcohol and/or drug abuse in the workplace is dangerous because it leads to physical impairment, loss of judgment, safety violations, and the risk of injury and possible death. The failure of any volunteer to comply with the procedures set forth in the policy will result in disciplinary action up to and including discharge. This policy applies to all Fire Department and Rescue Squads.

The Drug Free Workplace Act of 1988 requires all Rescue Squad or Fire department volunteers to notify the Rescue Squad or Fire department within five calendar days after any criminal conviction for the manufacture, distribution, dispensation, possession, or use of narcotics, drugs, or any other controlled substance. Criminal conviction means a finding of guilt, a plea of no contest, or a plea of guilty. The Rescue Squad or Fire department shall then be required to notify all federal contracting agencies and grantors of such conviction within ten days of receiving notice of the conviction.

Volunteers will be given a copy of this policy and will be required to sign a form similar to that contained in attachment A to this policy acknowledging its receipt. By continuing to work, the volunteer agrees that he/she will abide by the policy as a condition of employment. Failure to sign the form will result in discharge.

3. Inspection and Reporting. All property belonging to the Rescue Squad or Fire Department shall be subject to inspection at any time. Property belonging to the Rescue Squad or Fire Department which is subject to inspection includes, but is not limited to, vehicles, desks, files, containers, and lockers. Failure to consent to, or cooperate with, such inspections will be grounds for disciplinary action up to and including discharge.

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4. Definitions.

4.1 Chain of Custody

The chain of custody for a sample refers to the documentation procedures that are followed to determine how and by whom a urine or blood sample is handled from the time it is collected from the individual, until the final test result is determined. This process links the individual providing the sample to his or her particular sample. It provides written proof of every handling of the specimen while at the collection site and the laboratory.

4.2 Rescue Squad, Fire Department or Rescue Squad or Fire Department Property

Any Rescue Squad or Fire department buildings, equipment , or vehicles.

4.3 Confirm Limit (defined in Section 4.6 of this policy)

Level of detectable drugs in urine to confirm a “positive” test. This confirm test is done by gas chromatography/mass spectrometry (GC/MS).

4.4 Confirmation tests

The first analysis of a urine sample is called an assay, or an initial screen. If an initial test is positive, it is essential that a second test be conducted to verify the result. This second confirmatory test, gas chromatography/mass spectrometry (GC/MS) is highly accurate.

4.5 Confirmed and Verified Positive Drug Test

Verified by the Medical Review Officer (a licensed physician)

4.6 Drug Test under the Drug and Alcohol Procedure

Tests will be performed for the following;

		Screen Limit	Confirm Limit
4.6.1	Alcohol	0.04%	0.04%
	DRUG	Screen Limit (ng/ml)	Confirm Limit (ng/ml)
4.6.2	Amphetamines, Methamphetamines	1000	500
4.6.3	Cocaine, Crack, Freebase	300	150
4.6.4	Opiates (heroin, Morphine, Codeine)	300	300
4.6.5	PCP (Phencyclidine)	25	25
4.6.6	THC	50	15

The Rescue Squad or Fire Department reserves the right to change the above profile as warranted. Notice of such changes, if any, will be provided to employees in a timely manner.

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4.7 “Drugs Tested For” Definitions

4.7.1 Amphetamines, Methamphetamines

Amphetamines are chemically manufactured drugs which stimulate the central nervous system. Methamphetamine is a stimulate and a derivative of amphetamines. It has similar effects on the central nervous system, but enters the brain much more quickly than other amphetamines and is therefore highly addictive.

4.7.2 Cocaine, Crack, Freebase

Cocaine is a highly potent organic stimulant derived from the leaves of the coca plant. Crack is an inexpensive, purified form of cocaine which is processed into tiny chips or chunks. Freebase is formed by heating pure cocaine, thereby separating it from its salt base.

4.7.3 Opiates, (Heroin, Morphine, Codeine)

Opiates, derived from the resin of the poppy plant, depresses the central nervous system.

4.7.4 PCP (Phencyclidine)

PCP is a synthetic drug that causes mental changes which can be unpredictable and extremely dangerous.

4.7.5 THC (Marijuana)

Marijuana is derived from the hemp plant, Cannabis Sativa. THC is delta-9-tetra-hydrocannabinol. THC alters a person’s ability to respond to situations. Affects motivation, lowers inhibitions, and can create paranoia.

4.8 Illegal Drugs

Drugs that are against Federal or State law to own, possess, use, manufacture, or to distribute. Examples of illegal drugs are cocaine or marijuana. Legal drugs being used improperly or used without the supervision of a licensed health care provider are also considered illegal drugs. Use of a prescription drug obtained in any of the following manners constitutes illegal use of drugs and is actionable by the Rescue Squad or Fire Department.

4.8.1 Through the purchase of the black market.

4.8.2 From a valid prescription of another person (such as a family member or friend)

4.8.3 From a prescription obtained under false pretenses.

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4.8.4 As part of multiple prescriptions falsely obtained from different health care professionals.

4.9 Legal Drugs

A drug (not prohibited by Federal, State, or Local law) which is being used under supervision of a licensed health care provider. Over the counter drugs or medications used per instructions provided with the drug or medication.

4.10 Medical Review of Test Results

A positive drug test (screen and confirm) does not automatically identify a volunteer employee as a user of illegal drugs. A licensed physician (Medical Review Officer) with knowledge of substance abuse disorders will review all positive drug test results in order to verify that chain of custody procedures were followed and that there are no alternative medical explanations for the test result. The responsibilities of the licensed physician are to determine if there is a **legitimate** explanation for a positive test result and to ensure chain of custody is accurate.

4.11 Positive Drug Test

Test which exceeds the screen limit and the confirm limit.

4.12 Prehire Drug Test

A drug test which is completed prior to becoming a member in a fire department or rescue squad.

4.13 Reasonable Cause

4.13.1 Reasonable cause to test for illegal drugs and alcohol include an observed inability of a volunteer to perform his or her job in a safe or satisfactory manner, observed possession of illegal drug paraphernalia, illegal drugs or alcohol while on the job, or observed and documented behavior indicating an apparent physical state of impairment (poor balance, slurred speech, marijuana or alcohol odor, etc).

4.13.2 Any Driver who is involved in an accident resulting in significant damage to Rescue Squad or Fire Department property, or injury to other persons.

4.14 Screen Limit (Defined in Section 4.6 of this policy)

Level of detectable drugs in urine to trigger second test (confirm)

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5.0 Alcoholic Beverages

5.1 The consumption or possession of alcoholic beverages on Rescue Squad or Fire Department premises or vehicles is strictly prohibited and places the violator in jeopardy of immediate discharge.

5.2 Being under the influence of alcoholic beverages while on duty will subject a volunteer to disciplinary action up to and including discharge for the first offense.

6.0 Illegal Drugs

6.1 The illegal manufacture, distribution, dispensation, possession, or use of narcotics, illegal drugs, or controlled substances on Rescue Squad or Fire Department premises or vehicles is strictly prohibited and places the violator in jeopardy of immediate discharge.

6.2 Being under the influence of narcotics, illegal drugs, or controlled substances while on duty, will subject a volunteer to disciplinary action up to and including discharge for the first offense.

6.3 Volunteers who distribute, dispense, possess, or use narcotics, illegal drugs, or controlled substances at any time, either on or off Rescue Squad or Fire Department premises or vehicles and either on or off duty, except in accordance with law, by prescription, and this Policy, will be subject to disciplinary action up to and including discharge.

6.4 All Volunteers are expected to report in a condition fit for duty. Being under the influence of narcotics, illegal drugs, or controlled substances while at work is an unfit condition.

6.5 Law enforcement authorities will be notified whenever narcotics, illegal drugs, or controlled substances are found in the workplace.

7.0 Prescription Drugs

7.1 Prescription drugs and medications shall be used only in the manner, combination, and quantity prescribed during the term of the shift.

7.2 Prescription drugs and medications shall be used only by the person to whom the drug is prescribed.

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7.3 If a Volunteer has any indication that prescribed or over the counter drugs may affect their behavior and/or performance, they should not respond to any calls until they are fit to return to duty.

8.0 Reasonable cause drug testing.

8.1 **Reasonable cause.** The Rescue Squad or Fire Department will require alcohol and/or drug screening tests when there is a reasonable cause such as, but not limited to, the following:

8.1.1 Reasonable cause to test for illegal drugs and alcohol include an observed inability of a Volunteer to perform his or her job in a safe or satisfactory manner as observed by the chief or commanding officer of the Rescue Squad or Fire Department.

8.1.2 Observed possession of illegal drug paraphernalia, illegal drugs or alcohol while on the job.

8.1.3 Observed and documented behavior indicating an apparent physical state of impairment (poor balance, slurred speech, marijuana or alcohol odor, etc).

8.1.4 Any Volunteer who is responsible for an accident resulting in significant damage to the Rescue Squad or Fire Department property, or injury to other persons where there is not a reasonable explanation as to the cause, or where negligence or carelessness appears to be the cause.

8.2 The reasonable Cause testing program shall apply to all volunteer members in the Rescue Squad or Fire Department.

8.3 The Chief or commanding officer of the Rescue Squad or Fire Department will request a drug screen for the volunteer. Upon approval by the Director of Emergency Services or his designee, the Volunteer will be asked to consent to a drug and/or alcohol test and sign a form acknowledging his/her consent. Any Volunteer who refuses to provide urine or other appropriate testing specimen will be subject to disciplinary action up to and including discharge.

10.0 Preemployment drug screen

10.1 All applicants for Volunteer Rescue Squads and Volunteer Fire Departments shall successfully complete a drug screen prior to being accepted as a member of the department.

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10.0 Testing Procedures

- 10.1 A designated collection site will be provided where Volunteers and applicants will present themselves for testing. The site will possess all necessary personnel, materials, equipment, facilities, and supervision to provide for the collection, security, temporary storage, and transportation of urine or other required specimens to a drug testing laboratory.
- 10.2 Volunteers will be asked by their chief or other appropriate Rescue Squad or Fire Department officials to report to a collection site. Volunteers who are believed to be under the influence of drugs will be transported to the collection site by the Volunteer's supervisor or other appropriate Rescue Squad or Fire Department officials. Applicants will be instructed to report to the collection site at a specified time.
- 10.3 To insure that the sample or specimen provided by an individual is properly identified and not accidentally confused with any other sample, strict procedures shall be used when collecting and transferring the sample. The total of these procedures is known as the chain-of-custody.
- 10.4 Applicants and Volunteers will be given an opportunity prior to testing to list all drugs they have recently taken, including prescribed drugs, and to explain the circumstances of the use of those drugs in writing on a control form.
- 10.5 Collection of samples or specimens shall allow individual privacy unless there is reason to believe that a particular individual may alter or substitute the specimen to be provided. Precautions shall be taken to ensure that a specimen has not been adulterated or diluted during the collection procedure and that all information on the specimen bottle and the chain-of-custody form can be identified as belonging to a given individual. Collection of urine specimens shall not be made under observation unless the Rescue Squad or Fire Department has reason to believe that a particular individual may alter or substitute the specimen.
- 10.6 All specimens collected by the Rescue Squad or Fire Department pursuant to this policy shall be tested in a laboratory certified by the United States Department of Health and Human Services National Institute in Drug Abuse.

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- 10.7 Specimens will be checked for at least the following substances;
- A. Marijuana and related substances
 - B. Cocaine
 - C. Opiates
 - D. Amphetamines
 - E. Phencyclidines
 - F. Barbiturates
- 10.8 All samples will be first subjected to an individual screening process to detect the presence of drugs. Those samples having a negative screen (no illegal or illicitly used substance) will be considered to have tested negative and no further testing will be done on those samples. Those samples that test positive on the first screen will be tested more extensively by means of Gas Chromatography/Mass Spectrometry (GC/MS) analysis to eliminate any false positive tests.
- 10.9 The laboratory will ensure that the chain of custody procedures are adhered to from the time of receipt of urine samples until testing is completed and results are reported. Samples that test positive will be stored by the laboratory for a minimum of one year.
- 10.10 A Volunteer or applicant who tests positive may request a second analysis of the original sample. That test will be conducted at the same laboratory used by the Rescue Squad or Fire Department at the individual's expense. The individual can also request a separate retest at another NIDA certified laboratory. In such instances, the laboratory used by the Rescue Squad or Fire Department will send a portion of the original sample to a laboratory designated by the individual. The cost of the retest shall be paid for by the individual.
- 10.11 All Volunteers and applicants will receive written notification of drug tests.

11.0 Notice to Employer, State, and Federal Grantor / Contracting Agencies, and Law Enforcement Authorities.

- 11.1 As a condition of continued membership, volunteers agree to notify the Rescue Squad or Fire Department within five (5) calendar days after any criminal conviction for the workplace manufacture, distribution, dispensation, possession, or use of illegal drugs and prescription drugs not prescribed for the individual volunteers use. The Rescue Squad or Fire Department shall notify all state and federal grantors / contracting agencies of such volunteer convictions as required by the state and federal Drug Free Workplace Acts. "Conviction" means a finding of guilt, imposition of a sentence, a plea of no contest, or a plea of guilty.

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11.2 The Rescue Squad or Fire Department shall notify law enforcement authorities whenever illegal drugs are found in the workplace.

12.0 Consequences of Violating this Policy

12.1 For all Volunteer Fire Department and Volunteer Rescue Squad members violations of this policy will result in termination

13.0 Severability

13.1 Should any clause, phrase, sentence, paragraph, or section of this policy be held unconstitutional or invalid by a court of competent jurisdiction for any reason, the validity of this policy or the remaining clauses, phrases, sentences, paragraphs, or sections shall not be affected.

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**VOLUNTEER ACKNOWLEDGEMENT OF RECEIPT OF
ALCOHOL AND / OR DRUG ABUSE POLICY**

This is to certify that I have received a copy of the Rescue Squad or Fire Department's Alcohol and / or Drug abuse policy. I agree that my compliance with the policy shall be considered as a condition of membership in the Fire Department / Rescue Squad. My failure to comply will result in disciplinary action up to and including immediate discharge.

Signature

Date

Social Security Number

Department

Attachment A

**NEWBERRY COUNTY RESCUE SQUAD OR FIRE
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**RESCUE SQUAD OR FIRE DEPARTMENT OF NEWBERRY
DRUG AND/OR ALCOHOL SCREEN CONSENT FORM**

Name _____ SSN _____

Address _____ Phone _____

_____ Dept. _____

Yes No Have you taken any medication or drugs within the past 30 days?

Yes No Have you consumed any alcoholic beverages within the past 24 hrs?

Yes No Are you taking any prescription or over the counter drugs or medications?

Yes No Have you smoked marijuana within the past 30 days?

If you answered yes to any of the above, list the name(s) of the drug or medication in the space below.

I understand and voluntarily consent to the Rescue Squad or Fire Department's request for a urine specimen or sample. I hereby hold harmless the Rescue Squad or Fire Department of Newberry, the laboratory, their Volunteers/ employees, agents, and contractors from any liability arising from this request to furnish this or any specimen or sample, the testing of the specimen or sample, and any decisions made concerning my employment based upon the results of the test, or any other use or disclosure of the test results. I consent to allow appropriate personnel designated by the Rescue Squad or Fire Department to perform chemical tests for the presence of alcohol, drugs, or other controlled substances. I also give my permission to release the results of these tests to appropriate Rescue Squad or Fire Department personnel and I release any of these persons from any liability whatsoever arising from the release of this information.

Employee Signature Date

Witness Date

I hereby acknowledge that the urine specimen or sample given is my own. Further, I attest that the specimen or sample was labeled in my presence and initialed by me.

Signature Date

Attachment B