

GREENVILLE POLICE DEPARTMENT POLICY AND PROCEDURES MANUAL

Chapter 101	Drug-Free Workplace	
Date Initially Effective: 10/01/99	By the Order Of: <p style="text-align: right;">Mark Holtzman, Chief of Police</p>	
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101.1.1 APPLICABILITY

The purpose of this policy is to provide all applicants and employees with notice of the provisions of the Department's drug testing program, and to ensure that the Greenville Police Department remains a drug free workplace.

To ensure the integrity of the Greenville Police Department, protect the citizens of this community, and preserve public trust and confidence in our agency, this Department has a drug-testing program. This program is designed to detect prohibited drug use by employees.

Drug testing may be conducted for applicants, lateral transfers, critical incidents, randomly, based on job assignment, and under reasonable suspicion. Drug testing is a compulsory production and submission of urine by an individual, in accordance with Departmental procedures, for chemical analysis to detect prohibited drug use.

101.1.2 PROHIBITED ACTIVITY

The following rules shall apply to all applicants and employees, while on and off duty:

- No employee shall illegally possess any controlled substances.
- No employee shall ingest any controlled or other dangerous substance, unless as prescribed by a licensed medical practitioner. No employee shall ingest any prescribed or over-the-counter medication in amounts beyond the recommended dosage.
- Employees who are prescribed a narcotic by their physician, or who are taking any other medication likely to cause impairment, must report the use of the medication immediately upon their return to work.
- Any employee who unintentionally ingests or is made to ingest, a controlled substance shall immediately report the incident to his supervisor so that appropriate medical steps may be taken to ensure the officer's health and safety.
- Any employee having a reasonable basis to believe that another employee is illegally using or is illegally in possession of any controlled substance shall immediately report the facts and circumstances to his supervisor.

When a supervisor is notified that an employee is utilizing a medication as described above, the Supervisor should contact the Department of Human Resources. The Supervisor will request that an appointment be made with the City Health Clinic. A review of the prescription, time and quantities prescribed will be reviewed by the physician at the clinic. A classification of "cleared for duty" or "restricted duty" will be established.

Applicant and Lateral Transferee

Applicants and lateral transferees applying for criminal justice officer positions shall be required to take a drug test as a condition of employment during the application process (but not more than sixty (60) days prior to the date of employment as a Greenville Police Officer). Applicants and lateral transferees shall be disqualified from further consideration for employment for refusal to submit to a required drug test or a confirmed positive drug test indicating drug use prohibited by this policy.

Employee Drug Testing

Greenville Police Officers and other employees will be required to submit to a drug test as a condition of continued employment in order to ascertain prohibited drug use in any case where there exists an individualized "reasonable suspicion" that the officer or employee used or is using illegal drugs. Reasonable suspicion that an officer or employee used or is using illegal drugs may be based upon, but not limited to:

- Observable phenomena, such as direct observation of drug use or possession and/or the physical symptoms of being under the influence of a drug
- A pattern of abnormal conduct or erratic behavior, including abnormal leave patterns
- Arrest or conviction for a drug-related offense, or the identification of an employee as the focus of a criminal investigation into illegal drug possession, use, or trafficking
- Information provided either by reliable and credible sources or independently corroborated
- Evidence that an employee has tampered with a previous drug test
- Facts or circumstances developed in the course of an authorized investigation of an accident or unsafe work practice

Critical Incident

The Greenville Police Department reserves the right to test any employee involved in an accident or critical incident while on the job. City of Greenville personnel policies mandate that employees will be tested in the following circumstances:

- when they are involved in accidents that seriously damage a vehicle, machinery, equipment, or property. (The classification of damage for employees in safety-sensitive positions, is an estimated damage threshold of \$1000.)
- in the event of a fatality;
- the accident results in an injury to the employee, another City employee, or any other person that requires offsite medical attention;
- the removal by towing of a vehicle involved in an accident;
- when the employee receives a citation for a moving traffic violation arising from the accident.

The investigation and subsequent testing must take place as soon as possible and no more than two (2) hours following the accident. A supervisor must escort the employee to the testing facility and under no circumstances will the employee be allowed to drive himself or herself to the testing facility.

Random Drug Testing

All sworn Greenville Police Department employees are subject to random drug testing by the Department. Civilian employees who operate a Department vehicle are considered safety-sensitive personnel and shall be included in the Department's random drug testing pool.

Annually, all employees shall have their assigned numerical identifier entered into a computer software system designated for the purpose of selecting a predetermined percentage from the total number of numerical identifiers entered. For random drug testing purposes, five percent (5%) shall be the predetermined percentage. Once a date has been selected, five percent 5% of all employees shall be tested at least once annually or as otherwise determined by the Chief of Police. Employees who are randomly selected as part of the five percent 5% to be tested are not exempt from future random testing and their numerical identifier will still remain in the pool for future random testing. Each employee shall have an equal chance of selection each time selections are made.

All Special Investigations Unit personnel and Property and Evidence personnel shall be tested annually for drugs on a random and unannounced date, as determined by the Chief of Police or designee. This testing is separate from the Department-wide five percent 5% random testing.

The program will be administered by the Office of Internal Affairs. The Administrator shall be responsible for ensuring that 5% of all personnel have been tested prior to December 31st of each calendar year. Once the date has been selected and the numerical identifier of each employee randomly selected for testing has been identified through the computer software system, then the Administrator shall notify the employees' supervisors. Once notified, the supervisor shall escort the employee(s) to the City's designated medical facility on the employee's next working day after receipt of notification. At no time shall the supervisor notify the employee in advance that they have been selected for random testing prior to the actual time testing is to take place.

101.1.3 SPECIMEN COLLECTION PROCEDURES

The laboratory/medical facility used for all drug testing procedures will be certified, at a minimum, to administer the Non-DOT protocol.

Medical Review Officer

In order to provide to the greatest extent possible for the privacy and confidentiality of applicants and employees who are required to submit to drug testing, all laboratory results will be sent directly to the Director of Human Resources. The Human Resources Director will notify the Office of Internal Affairs of the results of employee drug testing. All negative results for applicants will be forwarded to the Office of Personnel and Recruiting.

Confidentiality of Test Results

A positive result which the Administrator justifies by appropriate medical or scientific documentation to account for the results as other than the intentional ingestion of an illegal drug will be reported as a negative result and may not be released for purposes of identifying illegal drug use. Records shall only be released to the agency head or appropriate agency coordinator and, when necessary, to the North Carolina Criminal Justice Education and Training Standards Commission.

All records and information of personnel actions taken on applicants and veteran employees with verified positive test results shall be maintained in accordance with state and local personnel policies and procedures.

101.1.4 PROGRAM EDUCATION EFFORT

With the knowledge that education is a most powerful weapon in the effort to maintain a drug-free workplace, the Greenville Police Department is committed to providing all employees with an opportunity to receive a thorough drug and alcohol education program. This education program will be specifically targeted to two general employee groups: supervisors and non-supervisors.

A specific training effort for supervisors will emphasize drug detection skills, coaching and confrontation skills, legal documentation requirements and rehabilitative programs available, as well as general drug information.

The non-supervisory training program will concentrate on general drug information, the effects of drugs in the workplace, the employer rights and efforts to ensure a drug-free workplace, the rights of the employee, and programs available to those who need help.

The Greenville Police Department will provide on-going training for all employees. Instruction will be provided by both in-house training personnel and outside support services. To acquaint all new employees to their role in maintaining a drug-free workplace, they will receive training within sixty (60) days of their date of hire.

101.1.5 REHABILITATION

The Greenville Police Department will endeavor to create a compassionate and supportive atmosphere which encourages individuals with alcohol and/or drug abuse related problems to seek help and become a more productive member of the workforce. It is believed that the primary responsibility for recovery lies with the individual. While the Greenville Police Department will support the employee in his or her efforts to recover, and facilitate his or her transition back into the workforce, continued drug and/or alcohol abuse will not be tolerated.

The Employee Assistance Program (EAP) provides professional assistance to help employees and their families resolve problems that may affect their personal lives or job performance. The City of Greenville uses a program made available through the City's healthcare provider to provide confidential professional counseling to troubled employees. Insurance contributes to the cost of treatments.

The Greenville Police Department will support the employee in his or her efforts to rehabilitate his or herself when treatment is initiated by the employee. The employee may be given an extended leave to receive in-patient care. Upon release to duty by a qualified professional, the employee will be required to sign a document which gives the Greenville Police Department the right to request the employee to submit to periodic, random drug tests for up to twenty-four (24) months after their return to work. The employee may be reassigned to another position, where possible, if the supervisor deems necessary. An employee in rehabilitation is still required to maintain acceptable work performance standards. A confirmed positive drug test result which occurs during the two (2) years will result in immediate termination of the employee. In most cases, additional rehabilitation will not be supported for a relapse with drug or alcohol abuse which occurs within five (5) years of the last self-referral. Termination of employment is probable.