

CENTRAL FLORIDA EXPRESSWAY AUTHORITY

DRUG AND ALCOHOL POLICY

Department: Human Resources

Supersedes: N/A

Date of Board Approval: 6/22/2016

Central Florida Expressway Authority

Drug and Alcohol Policy

The Central Florida Expressway Authority (CFX) is committed to a Drug/Alcohol-Free work environment. The safety of the employee, fellow employees, the public, public property and equipment is placed in jeopardy when an employee is under the influence of drugs or alcohol. It is the policy of the Agency that the unlawful manufacture, sale, distribution, dispensation, possession or use of drugs or alcohol, or being under the influence of drugs or alcohol constitutes grounds for termination of employment with the agency. Drug testing of CFX employees is compliant with the Drug-Free Workplace program outlined in the Florida Statutes.

Employees are encouraged to obtain help from the Employee Assistance Program (EAP) before drug and/or alcohol problems surface in the workplace. Information will be made available to employees regarding accessing EAP services.

The Agency will not terminate an employee based solely on the employee's voluntarily seeking treatment for a drug or alcohol problem provided that the employee has self-identified to management and sought treatment prior to being required to test.

CFX will take disciplinary action, up to and including termination, against any employee who violates this drug and alcohol policy.

Types of Testing

To allay public concerns regarding drug and alcohol abuse by CFX employees and to mitigate the danger to the public and other employees in the workplace, employees will be subject to the following types of drug and alcohol testing:

1. Post Accident

Employees involved in any work-related accident, whether vehicular or non-vehicular, will be required to submit to a post-accident drug and or alcohol test if they have caused, contributed to, or been involved in an on-the-job accident while engaged in agency business in which:

- Property damage has occurred, and/or
- A life is lost, and/or
- The employee was cited for a moving traffic violation as a result of the occurrence and/or
- The employee's vehicle has been towed from the scene, and/or
- There has been bodily injury to any person, and as a result of this accident medical attention is required

Post accident drug testing is to be completed no later than twenty-four (24) hours following the injury/accident. Failure to complete this test within twenty-four (24) hours must be documented by management.

Any positive result or refusal to test, which is the same as a positive result, will lead to termination and could lead to workers' compensation benefits being suspended. If post accident alcohol testing is to be administered, it cannot be any later than eight (8) hours following the accident. Employees who are suspected of being under the influence of alcohol are to refrain from using alcohol for up to eight (8) hours following the injury/accident, or until testing has been completed. Failure to complete this test within eight (8) hours must be documented by management.

Any positive result or refusal to test, which is the same as a positive result, will lead to termination and could lead to Workers' Compensation benefits being suspended. Employees who are involved in a vehicular accident while on duty who is suspected of being under the influence of alcohol will have blood drawn to determine their blood alcohol content.

2. Workers' Compensation Notice of Injury

When a notice of injury report is submitted, and the employee receives medical attention, the employee will be tested for the presence of drugs and/or alcohol.

If an employee is injured in the course of employment and the employee tests positive for drugs and/or alcohol, he or she may forfeit eligibility for medical and indemnity benefits provided under the Workers' Compensation Act, pursuant to Florida Statutes and the employee will be terminated.

3. Reasonable Suspicion

Any employee may be required to submit to a reasonable suspicion alcohol and/or drug test as deemed appropriate by management. On the job accidents may be considered reasonable suspicion of drug/alcohol use. Management will make a determination that a test is required based on specific observations concerning two or more of the following: performance, appearance, behavior, speech, and/or body odors.

If an employee is observed using drugs and/or alcohol just before, or during the performance of their job function, he or she may be required to submit to a drug or alcohol test.

Testing Process and Results

Employees, who have a confirmed positive test, refuse to be tested, submit false samples or tampers with test samples during the drug testing process for drugs and/or alcohol will be terminated.

Should there be an Administrative or Civil Action brought against the lab regarding results, it is the responsibility of the employee to notify the laboratory of any Administrative or Civil Action brought pursuant to Florida Statutes.

Management who has a reasonable suspicion that an employee might be under the influence of drugs or alcohol must document the observations and the performance behavior on the confidential Reasonable Suspicion form. If possible, the supervisor should have another supervisor observe

and document the employee's behavior to corroborate the reasonable suspicion. The Human Resources department will provide this form.

Employees are required to inform their immediate supervisor of any medications that may impair their ability to perform the functions of their job prior to reporting for duty. CFX reserves the right to remove employees from duty without pay until a physician clears the employee via written confirmation that they may safely return to the position.

Test refusals include, but may not be limited to the following:

Failure to appear for a test in the timeframe specified without supervisory justification

Failure to remain at the test site until the testing process is complete

Failure to provide a sufficient volume of urine, or breath without a valid medical explanation for the failure

Failure to undergo a medical examination to verify insufficient volume

Failure to cooperate with any part of the testing process

Failure to permit the observation or monitoring of specimen donation when so required

Failure to take a second test required by the employer or collector

In addition to alcohol, employees will be tested for the following substances:

Amphetamines

Cocaine Metabolites

Marijuana Metabolites

Opiate Metabolites

Phencyclidine

Methaqualone

Barbiturates

Benzodiazepines

Methadone

Propoxyphene

A list of over the Counter and prescription drugs which could alter or affect drug test results may be obtained from the Director of Human Resources.

Rehabilitation

Depending upon the circumstances of the rehabilitation process, the employee may return to the regular work assignment or be placed on a temporary work assignment. If no such assignment exists or is feasible, the employee may use appropriate leave balances.

Test Results

Test results shall be considered confidential by the agency and may be disclosed to management on a need-to-know basis only, or to any person upon the written consent of the employee. Laboratories, employee assistance programs, drug and alcohol rehabilitation programs, and their agents who receive or have access to drug and alcohol test results shall keep all information confidential.