

Hepburn Township Volunteer Fire Company

Drug and Alcohol Abuse Policy

Approved: January 2013

Revised:

Hepburn Township Volunteer Fire Company realizes and recognizes that a member's health may directly affect all aspects of their job performance as a Volunteer. It is the intent of the **Drug and Alcohol Abuse Policy** to provide members of the Hepburn Township Volunteer Fire Company with our position regarding alcohol and drug usage, and to provide guidelines for consistent application of this policy.

It is the intent of the Hepburn Township Volunteer Fire Company to uphold and to protect individual rights, such as due process of the law and freedom from discrimination, enumerated in the United States Constitution, through the use of this policy.

The Hepburn Township Volunteer Fire Company recognizes that alcohol and drug dependencies are diseases. Members with such diseases will be given the same consideration as members having other diseases. Hepburn Township Volunteer Fire Company is particularly concerned with those situations where the use of alcohol or other drugs interferes with the safety of the community, with member's health, safety and job performance or safety of other members, or is considered to be detrimental to the operations of Hepburn Township Volunteer Fire Company. Early recognition and treatment of drug or alcohol use and dependency problems are important for successful rehabilitation, safety, productivity, and economic return of the member to active status.

It is dually noted however, the abuse of alcohol or drugs **WILL NOT** be tolerated.

ADMINISTRATIVE GUIDELINES AND RULES

Rehabilitation itself is the responsibility of the member. Hepburn Township Volunteer Fire Company supports approved treatment efforts. Therefore, a member's membership will not be jeopardized for initiating a request for assistance. The Fire Company does maintain however, that constructive disciplinary measures may be utilized to provide motivation to seek assistance. Any member, who has reason to believe that any individual within Hepburn Township Volunteer Fire Company is under the influence of or is an abuser of drugs and/or alcohol, is encouraged to contact the President or Fire Chief with such information. Confidentiality in all such contacts will be strictly maintained.

DRUG AND ALCOHOL RULES

The following rules represent the Hepburn Township Volunteer Fire Company policy concerning substance abuse. These are to be enforced uniformly with respect to all personnel as indicated.

1. All personnel are prohibited from being under the influence of alcohol or illegal drugs during "working hours" or on any response for the Hepburn Township Volunteer Fire Company
2. The sale, possession, transfer, or purchase of illegal drugs or controlled substance on Hepburn Township Volunteer Fire Company property, or while performing Hepburn Township Volunteer Fire Company business, is strictly prohibited. Such action will be reported to appropriate law enforcement officials.
3. The use, sale, or possession of an illegal drug or controlled substance while on duty is cause for termination.
4. Any member who commits an unlawful act on or off Hepburn Township Volunteer Fire Company premises, or whose conduct discredits Hepburn Township Volunteer Fire Company in any way, will be subject to discipline, up to and including termination.
5. No alcoholic beverages will be brought or consumed on Hepburn Township Volunteer Fire Company premises. (Except for Social Hall Functions)
6. No prescription drug will be brought on Hepburn Township Volunteer Fire Company premises by any person other than the one for whom it is prescribed. Such drugs will be used only in the manner, combination, and quantity prescribed.
7. Any member, whose off-duty abuse of alcohol or illegal drugs results in the cause of an accident or poor work performance, is subject to referral for professional assistance with respect to rehabilitation and will face disciplinary action inclusive of termination.
8. For purposes of this rule, an alcoholic beverage is any beverage that may be legally sold and consumed, and has an alcoholic content in excess of 3% by volume.
9. Drug means any substance, other than alcohol, capable of altering an individual's mood, perception, pain level or judgment. A prescription drug is any substance prescribed for individual consumption by a licensed medical practitioner. An illegal drug is any drug or controlled substance the sale or consumption of which is illegal.

PURPOSE OF POLICY

The purpose of the policy set forth is:

- To establish and maintain a safe, healthy working environment for all members.
To ensure the reputation of Hepburn Township Volunteer Fire Company and its members within the community.
To maintain the highest level of job performance for paid and volunteer personnel.
To provide rehabilitation assistance for any member who seeks such help.
- Counseling referral will be available to members who either request counseling or are referred by an officer. The referral may or may not be as a result of a positive testing.

TESTING FOR SUBSTANCE ABUSE

1. As part of this program, screening tests for drug and alcohol are authorized for:
 - a. All applicants.
 - b. When there is a reasonable suspicion an employee or member abuses the use of drugs or alcohol.
 - c. In an authorized examination regarding **an accident or unsafe practice.**
 - d. As part of, or as a follow up to, counseling or rehabilitation for substance abuse.

SELECTION OF INDIVIDUALS FOR DRUG AND ALCOHOL TESTING

Upon the effective date of implementation, individuals may be selected for testing in the following categories:

- 1. Reasonable Suspicion Testing:** Reasonable Suspicion Testing may be based upon, among other things:
 - a. Observable phenomena, such as direct observation of drug/alcohol use or possession and/or physical symptoms of being under the influence of a drug or alcohol.
 - b. A pattern of abnormal conduct or erratic behavior.
 - c. Arrest or conviction for a drug or alcohol related offense, or the identification of a member as a focus of a criminal investigation into illegal drug possession, use, or trafficking.
 - d. Information provided either by reliable and credible sources or independently verified.

e. Evidence that a member has tampered with a previous drug/alcohol test. Although reasonable suspicion testing does not require certainty, mere “hunches” are not sufficient to meet this standard.

2. Accident/Incident or Unsafe Practice Testing

An employee or member of the Hepburn Township Volunteer Fire Company involved in an accident/incident or unsafe practice will be directed to take a drug/alcohol test as part of an authorized examination into the accident/incident or unsafe practice whenever:

1. a fatality occurs as a result of the incident/accident.
2. a citation is issued by any law enforcement agency.
3. any vehicle involved in the accident/incident needs towed.
4. any injury is transported.
5. a Fire Company owned vehicle sustains significant damage.

The alcohol test is required as soon as possible post incident, but not to exceed **4 hours** and the drug test within **24 hours** of the incident.

Additionally, based upon each accident/incident or unsafe practice, a Chief Officer, as appropriate, may make a determination as to the need for alcohol and/or drug testing based on the circumstances of the accident/incident, or unsafe practice.

3. Follow-Up Testing

All employees and members who undergo counseling or rehabilitation programs for use or abuse of drugs or alcohol may be subject to testing during and following completion of such a program for a period of one year.

4. Applicant Testing

a. Every Job Posting shall contain the following statement: “Successful candidate **may be** required to submit to a urinalysis screening for use or abuse of drugs or alcohol prior to hire.”

b. Candidates shall be directed to an appropriate testing and collection facility, and tested as soon as possible, but not more than within 48 hours of notice.

FINDING OF DRUG/ALCOHOL ABUSE AND DISCIPLINARY CONSEQUENCES

Drug and/or Alcohol Abuse Determination

1. A member may be found to abuse the use of drugs/alcohol on the basis of any appropriate evidence including, but limited to:

- a. Direct observation
- b. Evidence obtained from an arrest or criminal conviction.
- c. A verified positive test result.
- d. Employee or member's voluntary admission.

2. Duty Status

Hepburn Township Volunteer Fire Company shall not allow a member to remain on duty after being found to abuse drugs/alcohol prior to successful completion of an approved rehabilitation program.

3. Range of Consequences

Hepburn Township Volunteer Fire Company shall initiate action to discipline a member who is found to abuse the use of drugs/alcohol. Hepburn Township Volunteer Fire Company is not required to initiate any disciplinary action against a member who voluntarily identifies themselves as a user or abuser of drugs/alcohol prior to being identified through other means, obtains and completes approved counseling or rehabilitation, and thereafter refrains from using or abusing drugs or alcohol. Disciplinary action which may include, but is not limited to, any of the following measures must be initiated:

- a. **Reprimanding** the member in writing.
- b. Placing the employee or member in a **temporary leave status**, if the employee so requests voluntarily. (NOTE: This is not available to those who use or sell drugs/alcohol while on duty or on Hepburn Township Volunteer Fire Company premises, excluding rental of the Social Hall)
- c. **Suspension** until such time they successfully complete approved counseling or rehabilitation.
- d. **Termination** from Hepburn Township Volunteer Fire Company membership.

4. Initiation of Mandatory Removal From Service or Membership.

Hepburn Township Volunteer Fire Company shall initiate action to remove any member for:

- a. Refusing to obtain counseling or rehabilitation after having been found to abuse the use of drugs/alcohol.

b. Having been found **not** to have refrained from abuse of drugs/alcohol after a first finding of drug/alcohol abuse.

5. Refusal to Consent to a Drug/Alcohol Test

An employee's or member's refusal to take a drug/alcohol test after the Hepburn Township Volunteer Fire Company has appropriately determined that the individual is required to do so will be immediately terminated or refused a position. The information regarding the refusal to take the drug/alcohol test and any Hepburn Township Volunteer Fire Company action as a result thereof shall be confidential.

6. Procedures for Requesting Drug or Alcohol Testing

a. If an individual demonstrates the symptoms outlined in the policy for drug and alcohol abuse, the Chief (or his designee) will be notified. (NOTE: This applies any time, day or night.)

b. The Chief (or his designee), as appropriate, will make the decision if the employee or member will undergo testing as prescribed in the policy and advise the President of the incident at their earliest convenience.

c. The Chief (or his designee) will make a written report of the incident.

d. The member to be tested will be escorted to the testing laboratory by the Chief (or his designee), as appropriate.

7. Testing Procedure

a. Testing will be done at a hospital laboratory.

b. A member who tests positive will be given a second test in order to confirm initial test results.

c. The cost of testing will be paid by Hepburn Township Volunteer Fire Company.

8. Maintenance of Records

a. **Hepburn** Township Volunteer Fire Company will keep test results and other related records separated from other records in order to insure confidentiality.

b. Member will have access to their own drug or alcohol abuse record.

c. Hepburn Township Volunteer Fire Company will obtain consent for any necessary disclosure where possible.