



# City of South Padre Island

## Drug and Alcohol Policy For Transportation Employees

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## Purpose & Overview

The City of South Padre Island WAVE provides public transportation services to our residents and tourists in an effort to promote the Island and a better quality of life. Part of our mission is to ensure that this service is delivered safely, efficiently, and effectively by establishing a drug and alcohol-free work environment, and to ensure that the workplace remains free from the effects of drugs and alcohol in order to promote the health and safety of employees and the general public. In keeping with this mission, the City of South Padre Island declares that the unlawful manufacture, distribution, dispense, possession, or use of controlled substances or misuse of alcohol is prohibited by all employees.

The purpose of this policy is to establish guidelines to maintain a drug and alcohol-free workplace in compliance with the Omnibus Transportation Employee Testing Act of 1991. This policy is intended to comply with all applicable Federal regulations governing workplace anti-drug and alcohol programs in the transit industry. Specifically, the Federal Transit Administration (FTA) of the U.S. Department of Transportation has published 49 CFR Part 655, as amended, that mandates urine drug testing and alcohol testing for safety-sensitive positions, and prohibits performance of safety-sensitive functions when there is a positive test result, or test refusal. The U.S. Department of Transportation (USDOT) has also published 49 CFR Part 40, as amended, that set standards for the collection and testing of urine and breath

specimens. Additionally, the City has adopted these guidelines in order to assure the privacy of the employee while assuring the integrity and validity of the testing process. All drug and alcohol testing of safety-sensitive employees will be conducted in accordance with 49 CFR Part 40.

Any provisions set forth in this policy that are included under the sole authority of the City of South Padre Island and are not provided under the authority of the above named Federal regulations are underlined.

In order to comply with FTA drug and alcohol regulations, the City of South Padre Island will provide each safety-sensitive employee with a copy of this written policy on prohibited drug use and alcohol misuse in the workplace, a policy which will educate the employee on the required procedures for drug and alcohol testing, and which will establish treatment programs available to employees.

### ***EMPLOYEES COVERED BY THIS PROGRAM (655.4 & 655.15)***

Drug and alcohol testing of safety-sensitive employees is required by 49 CFR Part 655. All employees and volunteers who perform safety-sensitive functions are subject to FTA testing provisions.

Safety-sensitive employees include those that perform any of the following:

- Operation of a revenue service vehicle, even if it is not in revenue service;
- Operation of a non-revenue service vehicle that requires a CDL;
- Dispatch or controlling movement of a revenue service vehicle; and if so, is the category description consistent with Part 655.
- Maintenance of a revenue service vehicle or equipment used in revenue service (Section 5311 maintenance contractors are exempt). Include all individuals engaged in engine, revenue service vehicle, and parts repair, rebuilding, and overhaul; or
- Carrying a firearm for security reasons.

Employees specifically covered in this policy include City of South Padre:

- Transportation Vehicle Operators
- Transit Supervisor
- Transit Mechanics
- Any other individual who controls the movement of revenue vehicles.

## ***PARTICIPATION IS A REQUIREMENT OF EMPLOYMENT***

Participation in the City of South Padre Island's drug and alcohol testing program is a requirement for each City safety-sensitive employee, and therefore, is a condition of employment.

## ***POLICY COMMUNICATION***

### **Employee Communication**

The City of South Padre Island will provide a copy of this policy to all safety-sensitive employees and any representatives of employee organizations. Employees will sign a Confirmation of Receipt form acknowledging receipt of policy

At any time that the City of South Padre Island is required to revise or update this policy, a new revised copy shall be provided to all safety-sensitive employees and any representatives of employee organizations. The employee will again be required to sign a Confirmation of Receipt form acknowledging receipt of the policy.

All new hires will receive a copy of the most current policy and will be required to sign a Confirmation of Receipt form acknowledging receipt of the policy.

### **Job Applicant Communication**

The City of South Padre Island will notify all applicants in writing of the requirement to undergo DOT pre-employment drug testing with a negative test result prior to safety-sensitive duties and, if hired that they will be subject to random drug and alcohol testing throughout their period of employment. The City will keep applicant signed acknowledgements on file.

Current employees wishing to switch to safety-sensitive functions must also be notified of the drug testing requirements in writing, and must also have a negative pre-employment / pre-transfer drug test.

### **Contract Service Provider Communication**

All agreements between employers and service agents are deemed a matter of law to require compliance. Should the City of South Padre Island use a contract service/maintenance provider, it will be the City of South Padre Island's responsibility to ensure that the contract organization complies with FTA regulations. The City will ensure that the service provider will have a secure storage location for specimens and specimen collection materials, and it will be available to perform collections during all days and hours that the transit system performs safety-sensitive job duties.

## ***REQUIRED HOURS OF COMPLIANCE AND PROHIBITED BEHAVIOR***

- Reasonable suspicion, random and follow-up alcohol tests can only be conducted just before, during, and/or just after performing a safety-sensitive function. An employee must not consume alcohol while performing a safety-sensitive function, four (4) hours prior to performing safety-sensitive functions, and up to eight (8) hours following an accident or until the employee undergoes a post-accident test, whichever comes first.
- The use and ingestion of illegal drugs is prohibited at all times and employees can be tested for drugs anytime while on duty.

- The behaviors that are prohibited by FTA rules include:
- Ingestion of prohibited drugs at all times.
- Consumption of Alcohol:
  - Four hours prior to performing a safety-sensitive function.
  - Eight hours following an accident.
  - While on-call the employee will be given the opportunity to acknowledge the use of alcohol and the inability to perform safety-sensitive functions. (If employee acknowledges alcohol use, but claims ability to perform his or her safety sensitive duties, then he or she must take a DOT alcohol test.)
  - Blood alcohol concentration of 0.04 or greater when performing a safety-sensitive function.

The actions that are prohibited by the Drug Free Workplace Act include unlawful manufacturing distributing, dispensing, possessing, or using controlled substances in the workplace and shall not be tolerated by the City.

## Procedures for Transportation Workplace Drug and Alcohol Testing Programs

## **EMPLOYER RESPONSIBILITIES (40.0)**

### **Mock Collection**

The City of South Padre Island is responsible for all actions of the officials, representatives, and agents (including service agents) in carrying out the requirements of the DOT agency regulations. (40.11) In response to this responsibility the City will conduct a mock collection at the collection site to insure that all agreements and arrangements, written or unwritten, between and among the City and the service agents concerning the implementation of DOT drug and alcohol testing requirements are deemed, and alcohol testing regulations.

### **Collection Information the Employer Must Provide to Collectors (40.14)**

The City must ensure itself or through the service agent that the collector has the following information when conducting a urine specimen.

- (a) Full name of the employee being tested.
- (b) Employee Social Security number or ID number.
- (c) Laboratory name and address.
- (d) Employer name, address, phone number, and fax number.
- (e) DER information required in 40.35.
- (f) MRO name, address, phone number, and fax number.
- (g) The DOT Agency which regulates the employee's safety sensitive duties.
- (h) Test reason, as appropriate: Pre-employment; Random; Reasonable Suspicion/Reasonable Cause; Post Accident; Return-to-Duty; and Follow-up.
- (i) Whether the test is to be observed or not. (40.67)

### **Actions the Employer is Required to Take After Receiving a Verified Positive Test Result (40.23)**

All actions below must be taken after receiving the initial notice of a verified positive test result. Do not wait to receive the written report or the result of a split specimen test.

- (a) The City will immediately remove the employee involved from performing safety-sensitive functions and the employee will be provided with a list of USDOT qualified Substance Abuse Professionals.
- (b) If the City receives a verified adulterated or substituted drug test result, the City will consider this a refusal to test and immediately remove the employee from performing safety-sensitive functions.
- (c) If the City receives an alcohol test of 0.04 or higher, the City will immediately remove the employee from performing safety-sensitive functions and the employee will be provided with a list of USDOT qualified Substance Abuse Professionals. If the result is 0.02 - .039, you must temporarily remove the employee involved from performing safety-sensitive functions, as provided in applicable DOT agency regulations.
- (d) When an employee has a verified positive drug test, an alcohol result of 0.04 or above, or a refusal to test, the City will not return the employee to work performing safety-sensitive functions until or unless the employee successfully completes the return-to-duty process.
- (e) When the City receives a drug test result indicating that the employee's specimen was dilute, the City will take action as provided in 40.197.

- (f) When the City receives a drug test result indicating that the employee's urine specimen test was cancelled because it was invalid and that a second collection must take place under direct observation.
- (1) The City will direct the employee to provide a new specimen under direct observation.
  - (2) The City will not attach consequences to the finding that the test was invalid other than collecting a new specimen under direct observation.
  - (3) The City will not give any advance notice of this test requirement to the employee.
  - (4) The City will instruct the collector to note on the CCF the same reason and DOT Agency as for the original collection. (Ex. Random, Post- Accident)
  - (5) The City will insure that the collector conducts the collection under direct observation.
- (g) If the City receives a cancelled test result when a negative result is required (Ex. Pre-Employment, Return-to-Duty, Follow-Up Test), the City will direct the employee to provide another specimen immediately.

## **Actions the Employer is Required to Take After Receiving a Report of a dilute positive specimen (40.197)**

If the MRO informs the City that a positive drug test was dilute, the City will treat the test as a verified positive test. The City will not direct the employee to take another test based on the fact that the specimen was dilute. If the MRO directs the City to conduct a recollection under direct observation (i.e. because the creatinine concentrate of the specimen was equal to or greater than 2mg/dL, but less than or equal to 5 mg/dL (see 40.155)), the City must do so immediately.

## ***BEHAVIORS THAT CONSTITUTE A REFUSAL TO TEST***

The behaviors that constitute a refusal to submit to a test include:

- Fail to appear for any test (except for pre-employment) within a reasonable amount of time, to be determined by the City;
- Failure to attempt to provide a urine or breath specimen for any required drug or alcohol test; An employee who does not provide a urine or breath specimen because he or she has left the testing site before the testing process commenced for a pre-employment test has not refused to test.
- Failure to provide sufficient quantities of breath or urine without a valid medical explanation;
- Failure to remain at the testing site until the testing process is completed (except for pre-employment);
- Failure to undergo a medical evaluation as required by an MRO or the DER;
- Failure to cooperate with any part of the testing process;
- In the case of a directly observed or monitored urine collection, failure to permit monitoring or direct observation of your provision of a specimen.
- Failure to follow the observer's instructions to raise and lower your clothing and turn around during a directly-observed test.
- Posses or wear a prosthetic or other device that could be used to tamper with the collection process;
- Failure or decline to take a second test as directed by the employer or the collector for drug testing.
- MRO verification of a test as adulterated or substituted;
- Failure to sign Step 2 of the Alcohol Testing Form; or
- Failure to remain readily available for testing following an accident.



- Admitting to the collector or MRO that you adulterated or substituted the specimen.

As an employee, if you refuse to take a drug test, you incur the consequences specified under DOT agency regulations for a violation of those DOT agency regulations (40.191(11)(e)).

## **CONSEQUENCES**

### **For Tampering with the sample collection process...**

Tampering with or attempting to adulterate the specimen shall require an immediate recollection under direct observation.

### **For Dilute Negative test results (40.197)**

If the MRO informs the City that a negative test was dilute, the City will take the following action:

- If the MRO directs the City to conduct a recollection under direct observation (i.e., because the creatinine concentration of the specimen was equal to or greater than 2mg/dL, but less than or equal to 5 mg/dL, (see 40.197 (b)(1)), the City must do so immediately.
- Otherwise (i.e., if the creatinine concentration of the dilute specimen is greater than 5mg/dL) the City will require a non-observed recollection. If the second test results in another "Dilute Negative" the test will be considered a negative and no additional testing will be required unless directed to do so by the MRO.
- The City will insure that the employee is given the minimum possible advance notice that he or she must go to the collection site.
- The City will treat the result as the test result of record, on which you rely for purposes of this part.
- If the result of the test you directed the employee to take is also negative and dilute, you are not permitted to make the employee take an additional test because the result was dilute. Provided, however, that if the MRO directs you to conduct a recollection under direct observation, the City will immediately do so.
- If the employee declines to take a test you directed him or her to take under section 40.197 paragraph (b), the employee has refused the test for purposes of this part and DOT agency regulations.

### **For a Refusal to submit to testing...**

Refusal to submit to a drug/alcohol test shall be considered a positive test result, a direct act of insubordination, and shall result in termination and referral to list of USDOT qualified SAPs.

### **For positive test results...**

An individual who has a verified positive drug test will be removed immediately from the safety-sensitive function, referred to a list of USDOT qualified SAPs (Substance Abuse Professional) and provided educational materials.

An individual who has an alcohol concentration of **0.02 or greater, but less than 0.04** will be removed from duty for at least 8 hours or the remainder of the work day, whichever is longer. The employee will not be allowed to return to safety-sensitive duty for his/her next shift until he/she submits to a NON-DOT alcohol test with a result of less than 0.02 BAC. If the employee has an alcohol test result of >0.02 to <0.039 two or more times within a six month period, the employee will be removed from duty and referred for assessment and treatment.

An individual who refuses to submit to an alcohol test, or has an alcohol concentration of **0.04 or greater**, will be removed immediately from the safety-sensitive function, provided educational material and referred to a list of USDOT qualified SAPs.

In the event of a positive drug or alcohol test, or a refusal to submit to a test, referral to and evaluation by a Substance Abuse Professional (SAP) will take place regardless of whether the individual is terminated or given a second chance.

For the first instance of a verified positive drug test or alcohol test (equal to or greater than 0.04 BAC) from any sample submitted for testing, other than a pre-employment test, disciplinary action against the employee shall include:

- a) Mandatory referral to an SAP for an assessment, formulation of a treatment plan, and execution of a return to work agreement;
- b) Failure to execute, or remain compliant with the DOT return-to-duty process shall result in termination.
  - Compliance with the return-to-work agreement means that the employee has submitted to a drug/alcohol test immediately prior to returning to work; the result of that test is negative; in the judgment of the SAP the employee is cooperating with his/her SAP-recommended treatment program; and, the employee has agreed to periodic unannounced follow-up testing.
  - Return-to-duty testing and follow-up testing shall be paid by the employee.
- c) Refusal to submit to a periodic unannounced follow-up drug/alcohol test shall be considered a direct act of insubordination and shall result in termination.
- d) A periodic unannounced follow-up drug/alcohol test which results in a verified positive test shall result in termination.

The second instance of a verified positive drug test / alcohol test (>0.04 BAC) for any sample submitted under these policy guidelines shall result in termination.

## **Regarding drug conviction...**

Failure of an employee to report within five (5) days of a criminal drug statute conviction for a violation occurring in the workplace shall result in termination.

## **Who pays for required treatment?**

The cost of any treatment or rehabilitation services will be paid directly by the employee or their insurance provider. The employee will be permitted to take accrued sick leave or vacation leave to participate in the SAP prescribed treatment program. If the employee has insufficient accrued leave, the employee will be placed on leave without pay until the SAP has determined the employee has successfully completed the required treatment program and releases him/her to return-to-duty. Any leave taken, either paid or unpaid, shall be considered leave taken under the Family and Medical Leave Act.

## **Self Referrals....**

In the instance of a self-referral or a management referral, disciplinary action against the employee shall include:

- a) Mandatory referral to an employer approved counseling professional for an assessment, formulation of a treatment plan, and execution of a return to work agreement;
- b) Failure to execute, or remain compliant with the return-to-work agreement shall result in termination.

- Compliance with the return-to-work agreement means that the employee has submitted to a drug/alcohol test immediately prior to returning to work; the result of that test is negative; the employee is cooperating with his/her recommended treatment program; and, the employee has agreed to periodic unannounced follow-up testing.
- c) Refusal to submit to a periodic unannounced follow-up drug/alcohol test shall be considered a direct act of insubordination and shall result in termination.
- d) A self-referral or management referral that was not precipitated by a positive test result does not constitute a violation of the Federal regulations and will not be considered as a positive test result in relation to the progressive discipline defined in this section of the policy.
- e) Periodic unannounced follow-up drug/alcohol test conducted as a result of a self-referral or management referral which results in a verified positive test shall be considered a positive test result in relation to the progressive discipline defined in this section of the policy.
- f) A voluntary referral does not shield an employee from disciplinary action or guarantee employment.
- g) A voluntary referral does not shield an employee from the requirements to comply with drug and alcohol testing.

## Circumstances for Testing

### ***PRE-EMPLOYMENT DRUG TESTING (655.41 &655.42)***

All applicants for employment in safety-sensitive positions or individuals being transferred into safety-sensitive positions will be notified in writing of the requirement to pass a drug test. After signing an affidavit to that effect, all applicants for employment in safety-sensitive positions or individuals being transferred into safety-sensitive positions or individuals being transferred into safety-sensitive positions must be given a pre-employment DRUG test. In instances where a FTA covered employee does not perform a safety-sensitive function for a period of 90 consecutive days or more regardless of reason, and during that period is not in the random testing pool the employee will be required to take a pre-employment drug test under 49 CFR Part 655 and have negative test results prior to the conduct of safety-sensitive job functions. Obtaining drug test results from a previous employer does not waive the requirement to conduct a pre-employment drug test on new employees. The time between the hire and the test date shall not be more than one month to the hire date.

The City of South Padre Island shall keep all negative drug test results on file for all new hires and shall hire employees into a safety-sensitive function only after the employee has a negative drug test for the safety-sensitive position.

If an individual has a positive pre-employment drug test, or if the individual cancels their pre-employment drug test, they cannot be hired. If an individual who had a positive pre-employment drug test re-applies for a safety-sensitive position in the future, another drug test will be administered. At that time, if the drug test result is negative, the individual may be assigned to a safety-sensitive function, but only after successful completion of the Return-to-Duty Process as outlined on page 12 of this policy. The City is not responsible to pay for the costs associated with the Return-to-Duty Process and can require the applicant to pay for them in order to complete the hiring process. In those instances where the Medical Review Officer (MRO) has determined that a drug test is positive, the City must allow the applicant to discuss the results of the test with the MRO prior to making a final decision to verify a positive drug test result. The City will provide persons with pre-employment positive test results with SAP information.

Although not required by the FTA, the City of South Padre Island may require an applicant who previously had a positive drug test to provide evidence of well being from a treatment specialist before administering the second set of tests.

When a covered employee or applicant has previously failed or refused a pre-employment drug test administered under this part, the employee must provide the employer proof of having successfully completed a referral, evaluation and treatment plan as described in § 655.62.

### ***REASONABLE SUSPICION TESTING (655.43)***

FTA regulations require a safety-sensitive employee to submit to a test when the employer has reasonable suspicion that the employee has used a prohibited drug or has misused alcohol as defined in the regulations. The request to undergo a reasonable suspicion test must be based on “specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, or body odor of the safety-sensitive employee.” A reasonable suspicion alcohol test can only be conducted just before, during, or just after the performance of a safety-sensitive job function. A reasonable suspicion drug test can be performed any time the covered employee is on duty.

A supervisor has sufficient justification for testing if that supervisor has been trained to identify the signs and symptoms of drug and alcohol use and reasonably concludes that objective facts may indicate drug use or alcohol misuse. The supervisor must provide comprehensive, written documentation for all reasonable suspicion tests.

A supervisor that will be called upon to make a reasonable suspicion determination must be trained in the facts, circumstances, physical evidence, physical signs and symptoms, or patterns of performance and/or behavior that are associated with use (See Training). Supervisors must be trained in the proper procedures for confronting and referring the employee for testing.

Only a trained supervisor can make a reasonable suspicion determination. The term “supervisor” refers to the job function, not the job title. The supervisor that makes the actual observation does not have to be the employee’s direct supervisor, but can be any TRAINED supervisor within the transit organization. The supervisor must receive reasonable suspicion training and be empowered to take action when they make specific, articulable, and contemporaneous observations of the appearance, speech, behavior, or body odor of the employee that are consistent with probable drug use or alcohol misuse.

Once a supervisor has made a reasonable suspicion determination, the employee must proceed to the testing site immediately. The employer must document the reasons if an alcohol test does not take place within two hours. However, this does not give the employer a two hours window in which to get the test completed. Attempts to complete the alcohol test must cease after eight (8) hours.

### ***POST-ACCIDENT TESTING (655.44)***

FTA regulations require testing for prohibited drugs and alcohol where there is loss of life or for other nonfatal accidents unless employee performance can be discounted completely as a contributing factor. In these incidents, the supervisor or Transportation General Manager shall accompany the driver to the testing facility. Lift accidents that result in the following consequences may also require testing.

#### **Fatal Accident**

Whenever there is loss of human life, each surviving safety-sensitive employee operating the public transit vehicle at the time of the accident, whether or not the vehicle is in revenue service at the time of the accident, must be tested. Other safety sensitive employees, (e.g. maintenance personnel, dispatcher) and whose performance could have contributed to the accident (as determined by the transit agency at the time of the accident), must also be tested.

#### **Nonfatal Accident**

A non-fatal accident is defined as an occurrence associated with the operation of a transit vehicle in which:

- An individual suffers bodily injury and immediately receives medical treatment away from the scene of an accident; or
- One or more vehicles (bus, electric bus, van, or automobile) involved incur disabling damage as the result of the occurrence and is transported away from the scene by a tow truck or other vehicle. For purposes of this definition, disabling damage means damage which precludes departure of any vehicle from the scene of the occurrence in its usual manner in daylight after simple repairs. Disabling damage includes damage to vehicles that could have been operated but would have been further damaged if so operated, but does not include damage which can be remedied temporarily at the scene of the occurrence without special tools or parts, tire disablement without other damage even if no spare tire is available, or damage to headlights, taillights, turn signals, horn, or windshield wipers that makes them inoperative.

**NOTE:** Accident does not necessarily mean collision. If an individual falls on a vehicle and needs to be taken to the hospital, then an accident has occurred, and a post-accident test is required unless the driver can be completely discounted as a contributing factor to the accident. The burden is on the transit agency to prove that their employees did not, in any way, contribute to the accident.

Employees subject to testing include all safety-sensitive employees whose functions could have contributed to the accident including the driver, maintenance, and other covered employees, including dispatcher. The Transportation General Manager shall determine the need for a post-accident test based upon information gathered from the driver, eyewitnesses, law enforcement personnel, and Transit Supervisor. Employees involved are prohibited from consuming alcohol for 8 hours following an accident, or until a post-accident test has taken place, whichever comes first. On non-fatal accident, employees whose performance can be completely discounted as a contributing factor do not need to be tested under § 655.44(a) (1) (ii).

Post accidents testing shall take place as soon as possible after the accident, but after treating injuries, and cooperating with law enforcement officers. And any and all employees involved in the accident will remain readily available for questioning and testing after the accident – lack of availability shall constitute a refusal to test. A non-involved transit employee, preferably the Transit Supervisor, shall accompany the driver and any other employees that could have contributed to the accident to the testing site.

If circumstances are such that thirty-two (32) hours have passed since the accident, yet the employee(s) involved had not been administered a drug test, the City will discontinue efforts to obtain the test.

If an alcohol test is not administered within two (2) hours following the accident, the City will still attempt to administer the test and must prepare and maintain on file the reason for the test delay. If after eight (8) hours an alcohol test has not been administered, the City shall discontinue efforts to obtain a test.

In the unlikely event that the City is unable to conduct an FTA post-accident alcohol and/or drug test due to circumstances beyond our control (i.e. employee is unconscious or incarcerated), the City is allowed to accept tests results from local or State law enforcement officers in lieu of the FTA tests if they provide the City with the results consistent with State and local law.

The City shall document all accident information, reasons for delays, and indicate whether or not a test was administered and why.

## **RANDOM TESTING (655.45)**

FTA regulations require random testing of drugs and alcohol for all safety-sensitive employees. Random testing identifies employees who are using drugs or misusing alcohol but are able to use the predictability of other testing methods to escape detection. More importantly, it is widely believed that random testing serves as a strong deterrent against employees beginning or continuing prohibited drug use and misuse of alcohol within the City's transit system.

- Valid methods include the use of a random-number table or a computer-based random generator that is matched with safety-sensitive employee's identification numbers. The *Random Drug Testing Manual* is available from the FTA Office of Safety and Security. All safety-sensitive employees in the random pool have an equal chance of being selected for testing and shall remain in the pool, even after testing (i.e., the individual may be tested more than one time in one year).

The number of random drug tests conducted shall be at least the minimum established by the Federal Transit Administration. The current year testing rates can be viewed online at <https://www.transportation.gov/odapc/random-testing-rates>.

- To account for fluctuating employee bases, the City will base the number of random tests per testing period on the number of safety-sensitive employees at the beginning of each testing period.
- The City will base the frequency of random number selections on the expected number of random tests each year. Group testing will not occur.
- Test dates will be spread reasonably throughout the year in a pattern that is not predictable, as will tests distributed throughout the draw period, and throughout the day/shift.
- Tests will be performed on weekends and holidays.

Testing should be performed at varying times throughout the work shift, on different days of the week, and at different times throughout the annual cycle.

City safety-sensitive employees must be aware that a random drug test can be conducted any time during all hours and days when safety-sensitive duties are being performed; however, a random alcohol test can only be performed just before, during, or just after the performance of a safety-sensitive job function. Only safety-sensitive employees will be included in the random pool. Once the employee is notified that he or she has been randomly selected for a test they must proceed IMMEDIATELY to the testing site.

Random numbers will be substituted only when the selected individual will not be performing job duties during the testing period. If an employee is unavailable during the draw period due to vacation or other long-term absence, an alternate may be used. If an employee is temporarily unavailable at the time the employer wishes to conduct the test, or it is their day off, the number should be held until their next shift within the same testing period. No employee should be excused because of operational difficulties.

The process will be unannounced and will be determined with a random selection program. Without giving prior notification, the Administrative Services Director will discreetly notify the Transit Supervisor of the employee, who will in turn notify the designated employee to report to the collection site. Meanwhile, the supervisor will take over the individual's duties while he/she is being tested. The City will document the random process, numbers drawn, date, and time of notification and collection.

## **RETURN TO DUTY TESTING**

Following a verified positive drug test, and alcohol test result of 0.04 or greater, a refusal to submit to a test, the safety-sensitive employee must pass a return to duty test, be evaluated by a

substance abuse professional, and provide assurance that the employee is presently free of alcohol and/or prohibited drugs and is able to return to work.

The City of South Padre Island allows for a second chance policy for employees testing positive, depending on the nature of the circumstances. However, before a return to duty test is performed, the employee must be evaluated by a substance abuse professional (SAP) to determine whether the employee has followed the recommendations for action by the SAP, including participation in any rehabilitation and/or education program.

The employee must have a verified negative drug test and/or an alcohol test result of less than 0.02 to return to a safety-sensitive function, as determined by the SAP. If a drug or alcohol test is cancelled, the City shall require the employee to submit to and pass another test.

Employees who go for return-to-duty and follow-up testing must have their collections observed. Adequate procedures for direct observation testing include raising clothing above the waist, lower clothing and underpants, and to turn around to permit detection of any type of prosthetic or device.

Under the City of South Padre Island authority, the City reserves the right to administer NON-DOT return-to-duty testing above and beyond the recommendations of the SAP, consistent with city policy and any other applicable laws/regulations.

## ***FOLLOW-UP TESTING (655.47 & 40.301)***

After returning to duty, the employee is subject to unannounced follow-up testing for a minimum of 12 months but not more than 60 months. The duration and frequency of the follow-up tests shall be established by the SAP, but shall not be less than six tests required within the first 12 months. The SAP's determination and recommended schedule are not negotiable. Employees subject to follow-up testing must also remain in the standard random pool and must be tested whenever their names come up for random testing, even if this means being tested in the same day, week, or month. Follow-up alcohol testing can only be conducted just before, during, or just after the performance of safety-sensitive functions.

Employees who go for return to duty and follow-up testing must have their collections observed. Adequate procedures for direct observation testing include raising clothing above the waist, lower clothing and underpants, and to turn around to permit detection of any type of prosthetic or device.

## **Drug Testing Procedures**

The City of South Padre Island will make provisions to conduct drug tests during all days and hours that the transit system employees perform safety-sensitive functions – drug tests based upon urinalysis. Under FTA regulations, drug tests will test for the presence of:

- Marijuana (THC)
- Opioids
- Cocaine
  
- Phencyclidine (PCP)
- Amphetamines

49 CFR Part 40, as amended:

Specimen validity testing will be conducted on all urine specimens provided for testing under DOT authority. Specimen validity testing is the evaluation of the specimen to determine if it is consistent with normal human urine. The purpose of validity testing is to determine whether certain adulterants or foreign substances were added to the urine, if the urine was diluted, or if the specimen was substituted.

## **SPECIMEN COLLECTION**

The collection site(s) will meet the Department of Transportation guidelines published in "Procedures for Transportation Workplace Drug and Alcohol Testing Programs" (49 CFR Part 40, as amended).

As per CFR Part 40, the employer must have a clear Standing Order of when to perform Oral Fluid Testing.

### **Oral Fluid Standing Order**

Pre-Employment, Random, Follow-Up, and Return to Duty Testing:

- Initial testing should be attempted using Urine as the specimen.
- An Immediate Oral Fluid second collection should follow shy bladder, insufficient specimen, and cold/hot specimen initial attempts.

Post-Accident and Reasonable Suspicion Testing:

- Initial testing should be attempted using Oral Fluid as the specimen.
- Any dry-mouth incidents should be followed up with a Urine collection.
- If the additional Urine is a shy bladder of cold/hot specimen, then urine collection guidelines must be followed according to 49 CFR, Part 40.
- Shy bladder 49 CFR, Part 40. 193(b).
- Cold/Hot specimen 49 CFR, Part 40.65(b) and 40.67.

Urine Specimens Showing Signs of Tampering:

- Any urine specimens collected for the above reasons that the collector suspects signs of tampering, as outlined in 49 CFR, Part 40.65(c), should be immediately followed by an oral fluid collection.

Required Oral Fluid Collection:

- For direct observation collections involving transgender or nonbinary individuals, an oral fluid collection must be conducted.
- Any circumstance where a qualified urine collector is not available, and a qualified oral fluid collector is available.

## **Observed Collections**

Collection site personnel will be required to conduct a mandatory observed collection in the following circumstances:

- All return-to-duty tests;
- All follow-up tests;
- The employee's urine sample is outside the normal temperature range;
- The employee is directed to provide another specimen because the original specimen appeared to have been tampered with;
- The collection site person observes materials brought to the collection site and/or observes conduct that clearly and unequivocally indicates an attempt to adulterate or substitute the sample.
- Anytime the employee is directed to provide another specimen because the laboratory reported to the MRO that the original specimen was invalid and the



- MRO determined that there was not an adequate medical explanation for the result;
- Anytime the employee is directed to provide another specimen because the MRO determined that the original specimen was positive, adulterated or substituted, but had to be cancelled because the test of the split specimen could not be performed;

The collection site will have both genders in case an observed collection is necessary.

## **Privacy/Confidentiality**

The collection site will have adequate measures in place to protect the privacy of the employee and the integrity of the collection process, and will have a place to communicate confidential matters to designated individuals, the employee, and/or the employer.

## **LABORATORY TESTING**

All drug test analyses will be completed in a laboratory certified by the Department of Health and Human Services (DHHS).

### **Alcohol Testing Procedures**

The City will make provisions to conduct alcohol tests during all days and hours that the transit system employees perform safety-sensitive functions, consistent with 49 CFR Part 40, as amended.

### **Training (655.14)**

## **TRAINING FOR SAFETY-SENSITIVE EMPLOYEES**

The City of South Padre Island shall display and distribute additional information regarding the prohibited drug use and alcohol misuse policy within its program. The City will also provide safety-sensitive employees with information concerning the effects of alcohol misuse on individual health, work, and personal life and signs and symptoms of an alcohol problem as well as a community service hotline telephone number to help employees that may be experiencing problems with prohibited drugs and alcohol.

More specifically, the City must provide all safety-sensitive employees educational materials that explain the requirements of the FTA's alcohol rule and the City's policies and procedures, and must train employees on the effects of drug use and the indicators of drug use. This training must:

- Be at least 60 minutes in length;
- Cover the effects and consequences of prohibited drug use on personal health, safety, and the work environment;
- Describe the manifestations and behavioral clues that may indicate prohibited drug use; and
- Be presented in the context of prohibited drug use in the workplace, the FTA regulation and the transit agency's policy.
- Must include training on the specific drug of Ecstasy.

The City will ensure that all new hires receive the appropriate training as soon as possible after hire (i.e. at employee orientation). Appendix C of this policy is an alcohol fact sheet that also gives the minimum thresholds for positive drug tests.

## ***TRAINING FOR SUPERVISORS***

The City will provide reasonable suspicion training to all supervisors that may be in a position to make reasonable suspicion determinations for drug and alcohol tests

- The reasonable suspicion training will be at least 2 hours long – 60 minutes for the alcohol program and 60 minutes for the drug program.
- The reasonable suspicion training will cover the topics required by FTA regulations to include Ecstasy.

In the event that a new or transferred employee takes a supervisory position the duties of which require that reasonable suspicion determinations be made, then that employee must be trained prior to the time they actually perform those duties/take that position.

## ***OTHER TRAINING***

Consistent with the Drug Free Workplace Act, the City will provide training for the entire workforce on the importance of maintaining a drug and alcohol-free workplace and the resources that are available to workers that may have problems with prohibited drugs or alcohol misuse. The City will strive to re-train employees annually.

## ***Administrative Requirements***

The City transit system must maintain records concerning our testing programs for specific periods of time and submit annual reports to the FTA regarding testing program activities and results. Since the City receives money from the FTA, the City must further certify, on an annual basis, that we are in compliance with the alcohol and drug testing regulations. This process is normally handled through the Pharr District Office in coordination with Texas Department of Transportation Central Office in Austin.

## ***DOCUMENTATION RELATED TO DRUG TESTING***

The employer or person administering the drug testing process must document any errors in the testing process which you become aware, even if they are not considered problems that will cause a test to be cancelled as listed in subpart (40.209).

## **RECORDKEEPING**

The City will maintain records on their program administration and the test results of individuals for whom they have testing responsibility. These drug and alcohol program records will be kept in a secure location with controlled access and will be kept separate from personnel files to protect confidentiality.

### **Records to be kept on file for one year:**

- **Alcohol Program:** test results with a BAC of less than 0.02 and the City's copy of the alcohol test form, including results of the test.
- **Drug Program:** Records of Verified Negative Drug Results and the City's copy of the custody and control form.

### **Records to be kept on file for two years:**

- **Alcohol Program:**
  - Records related to the collection process.
    - Collection logbook, if used.
    - Documents relating to the random selection process.
    - Verification of Breath Alcohol Technician training
    - Documents generated in connection with decisions on post-accident tests.
    - Documents showing existence of medical explanation of inability of safety-sensitive employee to provide enough breath for test.
    - Inspection, maintenance, and calibration of EBTs
  - Education and Training Records
    - Materials on alcohol misuse awareness, including a copy of the employer's policy on alcohol misuse.
    - Documentation of compliance with requirements of 49 CFR 655.71.
    - Educational materials that explain the regulatory requirements
    - The employer's policy and procedures with respect to implementing the regulatory requirements.
    - Written notice to every safety-sensitive employee of the availability of the above materials.
    - Written notice to all safety-sensitive employee organizations (i.e. collective bargaining units) of availability of above materials.
    - Documentation of training provided to supervisors to qualify them to make reasonable suspicion determinations.
    - Documentation of training provided to new employees stating date of receiving (60) sixty minutes of combined drug and alcohol training.
  - Calibration Documentation
    - Documents specifying the machine calibrated (e.g. by serial number), the date of calibration, the certified technician calibrating the equipment, and the results of the calibration signed by the calibrating technician.
    - Manufacturer's calibration schedule for the model of equipment used.
    - Certification record for the calibrating technician.

- **Drug Program**
  - Records Related to the Collection Process
    - Collection logbook, if used.
    - Documents relating to the random selection process.
    - Documents generated in connection with decisions to administer reasonable suspicion drug tests.
    - Documents generated in connection with decisions on post-accident tests.
    - MRO documents showing existence of medical explanation of inability of safety-sensitive employee to provide enough urine.
  - Education and Training Records
    - Training materials on drug use awareness, including a copy of the employer's policy on prohibited drug use.
    - Names of safety-sensitive employees attending training on prohibited drug use and the dates and times of such training.
    - Documentation of training provided to supervisors to qualify them to make reasonable suspicion determinations.
    - Certification that training complies with the regulatory requirements.
    - Procedures to assess those with verified positive test, providing available services, referral, suspension, and dismissal.
    - Documentation of training provided to new employees stating date of receiving (60) sixty minutes of combined drug and alcohol training.

## Records to be kept on file for five years:

- **Alcohol Program**
  - Alcohol Test Records with alcohol readings or 0.02 or greater.
    - The employer's copy of the alcohol test form, including the results of the test.
    - Records of verified positive drug test results.
    - Records from previous employers.
    - Documents related to the refusal of any safety-sensitive employee to submit to an alcohol test required by 49 CFR 655.
    - Documents presented by a covered employee to dispute the result of an alcohol test administered under 49 CFR 655.
  - Employee Evaluation and Referrals.
    - Records pertaining to a determination by a substance abuse professional concerning a safety-sensitive employee's need for assistance.
    - Records concerning a safety-sensitive employee's compliance with the recommendations of the substance abuse professional.
  - Annual MIS Reports
  - Records showing the release of test result information, which can be given out only in certain circumstances (See below).
- **Drug Program**
  - Records of covered employee verified positive drug test results.
    - The employer's copy of the chain-of-custody form.
    - Documents related to the refusal of any safety-sensitive employee to submit to a required drug test.
    - Documents presented by a safety-sensitive employee to dispute the result of a drug test administered under 49 CFR 655
  - Covered Employee Referrals to Substance Abuse Professional and Return to Duty and Follow-up,

- Records pertaining to a determination by a substance abuse professional concerning a safety-sensitive employee's suitability to return to work as a safety-sensitive employee.
- Records concerning a safety-sensitive employee's entry into and completion of the program of rehabilitation recommended by the substance abuse professional.
- Annual MIS Reports
- Records showing the release of test result information, which can be given out only in certain circumstances (See below).

## **CONFIDENTIALITY AND ACCESS TO RECORDS**

The City will only release testing records and results under the following circumstances:

- Drug/alcohol testing records shall be maintained by the City's Drug and Alcohol Program Manager and, except as provided below or by law, the results of any drug/alcohol test shall not be disclosed without express written consent of the tested employee.
- The employee, upon written request, is entitled to obtain copies of any records pertaining to their use of prohibited drugs or misuse of alcohol including any drug or alcohol testing records. Covered employees have the right to gain access to any pertinent records such as equipment calibration records, and records of laboratory certifications. Employees may not have access to SAP follow-up testing plans.
- Records of a verified positive drug/alcohol test result shall be released to the Drug and Alcohol Program Manager, and other transit system management personnel on a need to know basis.
- Records will be released to a subsequent employer only upon receipt of a written request from the employee.
- Records of an employee's drug/alcohol tests shall be released to the adjudicator in a grievance, lawsuit, or other proceeding initiated by or on behalf of the tested individual arising from the results of the drug/alcohol test. The records will be released to the decision maker in the proceeding.
- Records will be released to the National Transportation Safety Board during an accident investigation.
- Information will be released in a criminal or civil action resulting from an employee's performance of safety-sensitive duties, in which a court of competent jurisdiction determines that the drug or alcohol test information is relevant to the case and issues an order to the employer to release the information. The employer will release the information to the decision maker in the proceeding with a binding stipulation that it will only be released to parties of the proceeding.
- Records will be released to the DOT or any DOT agency with regulatory authority over the employer or any of its employees.
- Records will be released if requested by a Federal, state or local safety agency with regulatory authority over The City or the employee.
- If a party seeks a court order to release a specimen or part of a specimen contrary to any provision of Part 40 as amended, necessary legal steps to contest the issuance of the order will be taken

- In cases of a contractor or sub-recipient of a state department of transportation, records will be released when requested by such agencies that must certify compliance with the regulation to the FTA.
- As of June 13<sup>th</sup>, 2008 the Interim Final Rule (IFR) authorizes employers to disclose drug and alcohol violations of commercial motor vehicle (CMV) operators to State commercial driver licensing authorities when required by law. The release of the information can be done without the employee consent.
- The IFR authorizes third-party administrators (TPAs) to release drug and alcohol violations of CMV owner-operators to licensing authorities.

## **REPORTING**

FTA requires that the City file annual reports summarizing drug and alcohol test results. The City files the standard reporting form: Management Information system (MIS) form. Annual reports must be submitted to the FTA Office of Safety and Security by March 15 following each calendar year. The City submits our reports to the Pharr District Office prior to this date.

## **VENDOR /TPA OVERSIGHT**

The City is responsible for the integrity of the drug and alcohol testing program and the quality of testing services provided by its vendors/TPA. Specific information regarding the City's designated drug and alcohol testing vendor is specified in Appendix B of this document.

## **CONTRACTOR OVERSIGHT**

All safety-sensitive contractors that "stand in the shoes" of the City's transportation system must have a drug and alcohol testing program that meets the same FTA drug and alcohol requirements. The City must assure the following:

- That all safety-sensitive contractors that fall under the regulation are identified.
- The contractor has a copy of the City policy, regulations, and other related materials necessary to develop and operate a complaint program.
- Require that contractors demonstrate and certify compliance with the regulations.
- Assure Contractors and service agreements include requirements for compliance.

Include contractor compliance as a condition of the contract.

## **FORMAL APPROVAL**

Appendix A includes a formal show of review and support of this Drug and Alcohol Policy by the City of South Padre Island City Council.

# APPENDIX A

## BOARD OF ALDERMEN APPROVAL

**RESOLUTION 707**

**RESOLUTION 826**

**RESOLUTION 886**

**RESOLUTION 886A**

**RESOLUTION 886B**

## RESOLUTION NO. 707

**A RESOLUTION OF THE BOARD OF ALDERMEN OF THE TOWN OF SOUTH PADRE ISLAND, TEXAS, ADOPTING A DRUG AND ALCOHOL ABUSE POLICY FOR THE TRANSPORTATION DIVISION OF THE PUBLIC WORKS DEPARTMENT.**

**WHEREAS,** the Federal Transit Administration (FTA) requires all fund recipients to implement a drug and alcohol abuse policy in accordance with FTA regulations; and

**WHEREAS,** the FTA regulations require that a fund recipient's local governing board adopt the recipient's drug and alcohol abuse policy; and


**WHEREAS,** the Town wishes to adopt a drug and alcohol policy as set forth on the attached and incorporated Exhibit A.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE TOWN OF SOUTH PADRE ISLAND, TEXAS:**

That the Board of Aldermen hereby approves and adopts the Town of South Padre Island Drug and Alcohol Policy for Transportation Employees as set forth on the attached and incorporated Exhibit A.

**PASSED, ADOPTED AND APPROVED BY THE BOARD OF ALDERMEN OF THE TOWN OF SOUTH PADRE ISLAND, TEXAS, AT A REGULAR MEETING HELD ON AUGUST 21, 2002.**

**APPROVED:**

  
\_\_\_\_\_  
Robert N. Pinkerton, Jr., Mayor

**ATTEST:**

  
\_\_\_\_\_  
Joyce Adams, City Secretary





## RESOLUTION NO. 826

**A RESOLUTION OF THE BOARD OF ALDERMEN OF THE TOWN OF SOUTH PADRE ISLAND, TEXAS, APPROVING AMENDMENTS TO THE TOWNS' DRUG AND ALCOHOL ABUSE POLICY FOR THE TRANSPORTATION DIVISION OF THE PUBLIC WORKS DEPARTMENT.**

**WHEREAS**, the Federal Transit Administration (FTA) requires all fund recipients to implement a drug and alcohol abuse policy in accordance with FTA regulations; and

**WHEREAS**, the FTA regulations require that a fund recipient's local governing board adopt the recipient's drug and alcohol abuse policy; and

**WHEREAS**, the Town wishes to adopt a drug and alcohol policy as set forth on the attached and incorporated Exhibit A.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE TOWN OF SOUTH PADRE ISLAND, TEXAS:**

That the Board of Aldermen has hereby reviewed, and approves and adopts the Town of South Padre Island Drug and Alcohol Policy for Transportation Employees with an amending date of January 18, 2006.

**PASSED, ADOPTED AND APPROVED BY THE BOARD OF ALDERMEN OF THE TOWN OF SOUTH PADRE ISLAND, TEXAS, AT A REGULAR MEETING HELD ON JANUARY 18, 2006.**

**APPROVED:**

\_\_\_\_\_  
**Robert N. Pinkerton, Jr., Mayor**

**ATTEST:**

\_\_\_\_\_  
**Joyce Adams, City Secretary**

## RESOLUTION NO. 886

**A RESOLUTION OF THE BOARD OF ALDERMEN OF THE TOWN OF SOUTH PADRE ISLAND, TEXAS, APPROVING AMENDMENTS TO THE TOWNS' DRUG AND ALCOHOL ABUSE POLICY FOR THE TRANSPORTATION DIVISION OF THE PUBLIC WORKS DEPARTMENT.**

**WHEREAS**, the Federal Transit Administration (FTA) requires all fund recipients to implement a drug and alcohol abuse policy in accordance with FTA regulations; and

**WHEREAS**, the FTA regulations require that a fund recipient's local governing board adopt the recipient's drug and alcohol abuse policy.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE TOWN OF SOUTH PADRE ISLAND, TEXAS:**

That the Board of Aldermen has hereby reviewed, and approves and adopts the *Town of South Padre Island Drug and Alcohol Policy for Transportation Employees* with an amending date of August 15, 2007.

**PASSED, ADOPTED AND APPROVED BY THE BOARD OF ALDERMEN OF THE TOWN OF SOUTH PADRE ISLAND, TEXAS, AT A REGULAR MEETING HELD ON AUGUST 15, 2007.**

**APPROVED:**

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**Robert N. Pinkerton, Jr., Mayor**

**ATTEST:**

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**Joyce Adams, City Secretary**

# RESOLUTION NO. 886A

**A RESOLUTION OF THE BOARD OF ALDERMEN OF THE TOWN OF SOUTH PADRE ISLAND, TEXAS, APPROVING AMENDMENTS TO THE TOWNS' DRUG AND ALCOHOL ABUSE POLICY FOR THE TRANSPORTATION DIVISION OF THE PUBLIC WORKS DEPARTMENT.**

**WHEREAS**, the Federal Transit Administration (FTA) requires all fund recipients to implement a drug and alcohol abuse policy in accordance with FTA regulations; and

**WHEREAS**, the FTA regulations require that a fund recipient's local governing board adopt the recipient's drug and alcohol abuse policy.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE TOWN OF SOUTH PADRE ISLAND, TEXAS:**

- 1) That the Board of Aldermen has hereby reviewed, approves and adopts the *Town of South Padre Island Drug and Alcohol Policy for Transportation Employees* with an amending date of October 17, 2007; and
- 2) The Board of Aldermen authorizes Town staff to update the Appendices as necessary to keep this plan correct and up-to-date.

**PASSED, ADOPTED AND APPROVED BY THE BOARD OF ALDERMEN OF THE TOWN OF SOUTH PADRE ISLAND, TEXAS, AT A REGULAR MEETING HELD ON OCTOBER 17, 2007.**

**APPROVED:**

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**Robert N. Pinkerton, Jr., Mayor**

**ATTEST:**

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**Joyce Adams, City Secretary**

## RESOLUTION NO. 886B

**A RESOLUTION OF THE BOARD OF ALDERMEN OF THE TOWN OF SOUTH PADRE ISLAND, TEXAS, APPROVING AMENDMENTS TO THE TOWNS' DRUG AND ALCOHOL ABUSE POLICY FOR THE TRANSPORTATION DIVISION OF THE PUBLIC WORKS DEPARTMENT.**

**WHEREAS**, the Federal Transit Administration (FTA) requires all fund recipients to implement a drug and alcohol abuse policy in accordance with FTA regulations; and

**WHEREAS**, the FTA regulations require that a fund recipient's local governing board adopt the recipient's drug and alcohol abuse policy.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE TOWN OF SOUTH PADRE ISLAND, TEXAS:**

- 1) That the Board of Aldermen has hereby reviewed, approves and adopts the *Town of South Padre Island Drug and Alcohol Policy for Transportation Employees* with an amending date of February 20, 2008; and
- 2) The Board of Aldermen authorizes Town staff to update the Appendices as necessary to keep this plan correct and up-to-date.

**P E D, ADOPTED AND APPROVED BY THE BOARD OF ALDERMEN OF THE TOWN OF SOUTH PADRE ISLAND, TEXAS, AT A REGULAR MEETING HELD ON FEBRUARY 20, 2008.**

**APPROVED:**



*Robert N. Pinkerton, Jr.*  
**Robert N. Pinkerton, Jr., Mayor**

**ATTEST:**

*Joyce Adams*  
**Joyce Adams, City Secretary**

## **APPENDIX B**

### **Drug and Alcohol Testing Vendor Information**

The City has chosen Texas Alcohol and Drug Testing Services for our drug and alcohol testing services.

Texas Alcohol and Drug Testing Services  
2031 E. Price Rd, Suite C  
Brownsville, TX 78521  
Phone: 956-546-8900  
Fax: 956-546-9500  
Email: Brownvillestaff@tadts.net

The City's designated collection site shall be the office in Brownsville, unless circumstances are such that collection takes place at a suitable collection site here on the Island.

## **APPENDIX C**

### **Alcohol Fact Sheet & Drug Minimum Thresholds**

Alcohol is a socially acceptable drug that has been consumed throughout the world for centuries. It is considered a recreational beverage when consumed in moderation for enjoyment and relaxation during social gatherings. However, when consumed primarily for its physical and mood-altering effects, it is a substance of abuse. As a depressant, it slows down physical responses and progressively impairs mental functions.

#### Signs and Symptoms of Use

Dulled mental processes	Lack of coordination
Odor of alcohol on breath	Possible constricted pupils
Sleepy or stuporous condition	Slowed reaction rate
Slurred speech	

(Note: Except for the odor, these are general sign and symptoms of any depressant substance.)

#### Health Effects

The chronic consumption of alcohol (average of three servings per day of beer [12 ounces], whiskey [1 ounce], or wine [6 ounce glass]) over time may result in the following health hazards:

- Decreased sexual functioning
- Dependency (up to 10 percent of all people who drink alcohol become physically and/or mentally dependent on alcohol and can be termed “alcoholic”)
- Fatal liver diseases
- Increased cancers of the mouth, tongue, pharynx, esophagus, rectum, breast, and malignant melanoma.
- Kidney disease
- Pancreatitis
- Spontaneous abortion and neonatal mortality
- Ulcers
- Birth defects (up to 54 percent of all birth defects are alcohol related).

#### Social Issues

- Two-thirds of all homicides are committed by people who drink prior to the crime.
- Two to three percent of the driving population is legally drunk at any one time. This rate is doubled at night and on weekends.
- Two-thirds of all Americans will be involved in an alcohol-related vehicle accident during their lifetimes.
- The rate of separation and divorce in families with alcohol dependency problems is 7 times the average.
- Forty percent of family court cases are alcohol problem related.
- Alcoholics are 15 time more likely to commit suicide than are other segments of the population.
- More than 60 percent of burns, 40 percent of falls, 69 percent of boating accidents, and 76 percent of private aircraft accidents are alcohol related.

## The Annual Toll

24,000 people will die on the highway due to the legally impaired driver.  
12,000 more will die on the highway due to the alcohol-affected driver.  
15,800 will die in non-highway accidents.  
30,000 will die due to alcohol-caused liver disease.  
10,000 will die due to alcohol-induced brain disease or suicide.  
Up to another 125,000 will die due to alcohol-related conditions or accidents.

## Workplace Issues

It takes one hour for the average person (150) pounds to process one serving of an alcoholic beverage from the body.  
Impairment in coordination and judgment can be objectively measured with as little as two drinks in the body.  
A person who is legally intoxicated is 6 times more likely to have an accident than a sober person.

## **APPENDIX D**

### **City of South Padre Island Employee Contact Information**

**Employees with questions regarding this Drug and Alcohol Testing Program may contact:**

**Wendy Saldana  
Human Resources Manager  
The Drug and Alcohol Program Manager (DAPM) for this policy at**

**4601 Padre Boulevard  
South Padre Island, TX 78597  
(956) 761-8140  
(956) 433-7185 - Cell  
(956) 467-1529 - Fax  
[WSaldana@MySPI.org](mailto:WSaldana@MySPI.org)**

**If the (DAPM) is unavailable please contact:**

**Juan C. Alejandro  
HR Generalist/Training Coordinator  
Designated Employer Representative (DER) for this policy at**

**4601 Padre Blvd  
South Padre Island, TX 78597  
(956) 761-8101  
(956) 764-3032 - Cell  
(956) 467-1529 - Fax  
[JCAlejandro@MySPI.org](mailto:JCAlejandro@MySPI.org)**