

RESOLUTION 2021-25

A RESOLUTION ADOPTING A DRUG AND ALCOHOL MISUSE, PREVENTION & TESTING POLICY FOR SEWARD COUNTY EMPLOYEES AND REPEALING PREVIOUS DRUG AND ALCOHOL POLICIES

WHEREAS, K.S.A. 19-101, fifth, provides that Seward County may exercise the powers of home rule to determine local affairs and government under the provisions of K.S.A. 19-101a; and

WHEREAS, personnel rules, regulations and related administrative provision are permissible exercises of home rule power, pursuant to K.S.A. 19-101a; and

WHEREAS, as a part of its commitment to safeguard the health of its employees and provide a safe place for its employees to work, Seward County (herein "County") believes it prudent to adopt an updated policy regarding the use of drugs and alcohol by its employees; and

WHEREAS, Seward County believes that substance abuse, while at work or otherwise, seriously endangers the safety of employees and creates a variety of workplace problems, including increased injuries on the job, increased absenteeism, increased health care and benefit costs, increased theft, decreased morale, decreased productivity, and a decline in the quality of products and services provided by the County; and

WHEREAS, due to the foregoing, the County has developed the policy attached as Exhibit "A" (i) to detect users and remove abusers of alcohol and illegal drugs from the workplace and (ii) to prevent the use and/or presence of these substances in the workplace.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SEWARD COUNTY, KANSAS:

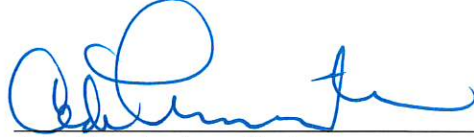
SECTION 1. Adoption of Drug and Alcohol and Misuse Prevention & Testing Policy. The Drug and Alcohol Misuse, Prevention & Testing Policy attached hereto as Exhibit "A" is hereby adopted as the policy of the County for its employees not subject to Department of Transportation (DOT) regulations. Employees subject to Department of Transportation (DOT) regulations remain governed by the "Drug and Alcohol Testing Policy (FMCSA/DOT)" adopted in April 1996 and updated in February 2019. Further, Exhibit "A" is incorporated into this resolution as if fully set forth herein.

SECTION 2. Repeal of Previous Drug and Alcohol Policies. All Drug and Alcohol policies for Seward County Employees, except as otherwise noted in this Section, are hereby repealed along with any amendments thereto. Notwithstanding the foregoing, the "Drug and Alcohol Testing Policy (FMCSA/DOT)" adopted in April 1996 and updated in February 2019 which applies to employees subject to DOT regulations is not repealed by this resolution and remains in full force and effect.

SECTION 3. Effective Date. This Resolution shall take full force and effect from and

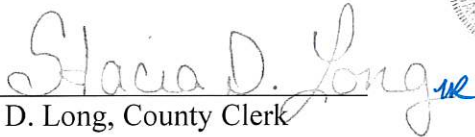
after the date of its passage.

WHEREUPON, the Board of County Commissioners of Seward County, Kansas, passes and adopts this Resolution in regular session, at its chambers in Liberal, Seward County, Kansas this 20th day of September, 2021.



Ada Linenbroker, Chairman
Seward County Board of Commissioners

ATTEST:



Stacia D. Long, County Clerk



EXHIBIT

A

Seward County

**515 N. Washington
Liberal, KS 67901**

Drug and Alcohol Misuse, Prevention & Testing Policy [All Employees, Except DOT Employees]

Policy Date: September 2021

Seward County
Anti-Drug and Alcohol Misuse Prevention & Testing Policy
[All Employees except those subject to DOT regulations]

I. PURPOSE

As a part of its commitment to safeguard the health of its employees and provide a safe place for its employees to work, Seward County (herein "County") has established this policy regarding the use of drugs and alcohol by its employees. Substance abuse, while at work or otherwise, seriously endangers the safety of employees and creates a variety of workplace problems, including increased injuries on the job, increased absenteeism, increased health care and benefit costs, increased theft, decreased morale, decreased productivity, and a decline in the quality of products and services provided by the County. The County has established this policy (i) to detect users and remove abusers of alcohol and illegal drugs from the workplace and (ii) to prevent the use and/or presence of these substances in the workplace.

II. SCOPE OF APPLICATION

This Policy shall apply to all employees of the County, and applicants who have received a conditional offer of employment with the County. Notwithstanding the foregoing, employees subject to Department of Transportation (DOT) regulations shall not be governed by this Policy, but by "Drug and Alcohol Testing Policy (FMCSA/DOT)" adopted in April 1996 and updated in February 2019. **Certain provisions of this policy will apply specifically and only to employees who are in Safety Sensitive Positions. Safety Sensitive Positions are listed on Appendix "A" and additional Safety Sensitive Positions may be determined and added from time to time by the County's Human Resources Director or County Administrator.**

As a condition of employment, employees are required to abide by the terms of this Policy. This Drug and Alcohol Misuse, Prevention, and Testing Policy primarily governs actions in the areas of alcohol and drugs. Other County policies may apply in these areas to the extent that they do not conflict with this policy.

II. DEFINITIONS.

For the purposes of this Policy the following terms shall be defined as follows:

- A. "ILLEGAL DRUGS" shall mean drugs or controlled substances that are (1) not legally obtainable or (2) legally obtainable but not obtained or used in a lawful or prescribed manner. Examples include, but are not limited to, cocaine, marijuana, opiates, amphetamines, and phencyclidine (PCP) as well as prescription drugs that are not lawfully obtained and/or not properly utilized. The term "illegal drugs" also includes mind-altering and/or addictive substances that are not sold as drugs or medicines but are used for the mind- or behavior-altering effect (e.g. glue, peyote).

Medical Marijuana or Recreational Use is prohibited under this policy. The Federal Government and the Department of Transportation do not recognize Medical Marijuana Prescriptions or Recreational Use. Federal Law always supersedes State law(s). This County shall follow all Federal Government regulations and guidelines regarding Medical Marijuana or Recreational Use and will not allow its employees, individuals, drivers, operators and/or contractors to be employed or perform work at any of their locations, terminals or operations while on Medical Marijuana or Recreational Use Marijuana.

CBD OIL. The claimed use of CBD oil shall not be considered a medical excuse for a positive marijuana Test.

- B. **ALCOHOL** shall be defined as the product of distillation of any fermented liquid, whether rectified or diluted, whatever its origin, and includes synthetic ethyl alcohol, denatured alcohol, wood alcohol. The term "Alcohol" further includes spirits, wine, beer, alcoholic candy and every liquid or solid, patented or not, containing alcohol, spirits, cereal malt beverages, wine or beer and capable of being consumed by a human being.
- C. **ALCOHOL TESTING** shall mean the collection and analysis of blood alcohol content by a breathalyzer instrument device or the drawing or collecting of a blood or serum sample and providing the laboratory analysis thereon.
- D. **CONTROLLED SUBSTANCES** shall be defined as those substances whose dissemination is controlled by regulation or statute, including but not limited to, narcotics, depressants, stimulants, hallucinogens, and cannabis.
- E. **DRUG TESTING** shall be defined as the collection and analysis of a urine, breath, blood, or hair follicle specimen for the presence of drugs.
- F. **EMPLOYEE ASSISTANCE PROGRAM ("EAP")** shall be defined as a professional counseling program designed to offer rehabilitative assistance to employees who need help in resolving their alcohol abuse or drug dependency problems.
- G. **REASONABLE SUSPICION** - shall be defined as the quantity of proof or evidence that is more than a hunch but less than probable cause based on specific facts and any rationally derived inference from those facts about the conduct of an individual that would lead the reasonable person to suspect that an individual is in violation of this Policy. The types of objective facts supporting reasonable suspicion may include, but are not limited to:
 - 1. Observable and articulable phenomena, such as physical symptoms or manifestations of being under the influence/impaired by drugs or alcohol while on duty or on County property (appearance, glassy or bloodshot eyes, slurred speech, odor of alcohol or marijuana, unsteady gait, poor coordination or reflexes, etc.), or the direct observation of such use while on duty or on County property;
 - 2. Reports of an employee's drug or alcohol use while on duty or on County property from reliable and credible sources;
 - 3. An accident in which there appeared to be negligence or carelessness on the part of the employee while On Duty or on County Property;
 - 4. Erratic behavior, aggressive physical behavior, unusual loudness, flagrant disregard of established safety, security or operating procedures;
 - 5. A documented pattern of deteriorating performance, which may include excessive absenteeism or missing deadlines, insubordination or inability to work with others, or behaviors normally associated with substance abuse; or
 - 6. Evidence that an individual has tampered with a drug or alcohol test.
- H. **LEGAL DRUGS** shall be defined as those prescribed or over-the-counter drugs that are legally obtained by the employee and used for the purpose for which they were prescribed and sold.

- I. **PRESCRIPTION DRUG** means a legal drug that the employee has a prescription or other written approval from a physician for the use of a drug in the course of medical treatment.
- J. **COUNTY PROPERTY** means: (i) property, work sites, parking lots, vehicles and offices owned, rented, utilized, or serviced by the County or by any customer of the County; (ii) employee-owned or employee-rented vehicles located on the property of the County or of any customer of the County while the employee is on County business; and (iii) and locations where the employee represents the County in any capacity.
- K. **ON DUTY** means an employee's working hours as well as meal periods and break periods, regardless of whether on County Property or not, and all hours when the employee represents the County in any capacity. Notwithstanding the foregoing, an employee will not be considered **ON DUTY** when the employee voluntarily attends socials or dinners after 5:00 P.M. which are related to conferences, seminars, continuing education events and similar events.
- L. **SAFETY SENSITIVE POSITION** means those positions specified in Appendix "A" hereto along with those positions as designated as safety sensitive from time to time by the Seward County Human Resources Director or County Administrator.
- M. **POLICY** mean this "Drug and Alcohol Misuse, Prevention & Testing Policy."
- N. **POSITIVE TEST RESULT** shall mean:
 - A. The results of Alcohol Testing showing an Alcohol concentration level of .04 or greater in an applicant or employee's body;
 - B. The results of Drug Testing showing existence of an illegal drug in the body of an applicant or employee;
 - C. An applicant or employee's refusal to submit to Alcohol Testing or Drug testing as required under this Policy; or
 - D. An applicant or employee's tampering or attempt to tamper with Alcohol Testing or Drug testing as required under this Policy.

IV. DRUG USE PROHIBITIONS

- A. The use, sale, purchase, possession, manufacture, distribution, or dispensing of Illegal Drugs on County property or while On Duty is against this Policy.
- B. It is against this Policy for any employee to report to work or to work with the presence of Illegal Drugs in the employee's body.
- C. The use of Prescription Drugs or over-the-counter drugs can also affect the safety of the employee, fellow employees, or members of the public. Therefore, an employee who is taking any Prescription Drug or over-the-counter drug that might impair the safety of themselves or others shall not report for duty or remain on duty. Doing so shall be considered a violation of this Policy.
- C. Refusal of an employee or applicant to submit to or attempts to tamper with Drug Testing which is required hereunder will be considered a violation of this Policy.
- D. A Positive Test Result on an employee or applicant's drug test shall be deemed a violation of this Policy.

V. ALCOHOL USE PROHIBITIONS

- A. No employee shall report for duty within four (4) hours after using Alcohol. No employee shall be on duty while having an alcohol concentration of 0.04 or greater. Doing so shall be a violation of this Policy.
- B. The consumption or possession of Alcohol while on County property or while On Duty is prohibited under this Policy. While not on duty (as defined herein) and voluntarily attending socials or dinners after 5:00 P.M. which are related to conferences, seminars, continuing education events, or other similar events, an employee is encouraged at all times to consume alcohol in moderation.
- C. Refusal of an employee or applicant to submit to or attempts to tamper with an alcohol test which is required hereunder will be considered a violation of this Policy.
- D. A Positive Test Result on an employee or applicant's alcohol test shall be deemed a violation of this Policy.

VI. DRUG/ALCOHOL TESTING EVENTS

Seward County will administer testing in the following situations:

A. PRE-EMPLOYMENT TESTING

All applicants for Safety Sensitive Positions and employees who promote into Safety Sensitive Positions shall undergo drug and/or alcohol testing prior to assignment.

- 1. Applicants for Safety Sensitive Positions shall sign the Applicant Drug/Alcohol Testing Consent Agreement at the time of hire.
- 2. All Safety Sensitive Position applicants which are considered final candidates and who have received an offer for a position will be tested for the presence of Illegal drugs and/or Alcohol and must receive negative test results as a part of the hiring process.
- 3. Refusal to undergo a test, or a Positive Test, shall result in a withdrawal of a conditional offer of employment.

B. RANDOM TESTING

Those employees in Safety Sensitive Positions and those in the County's EAP shall be required to undergo Drug Testing and/or Alcohol Testing on a random selection basis or on a scheduled periodic basis.

Random and/or scheduled periodic testing shall generally be selected and administered as follows:

- 1. Selection of employees for random testing shall be conducted through the use of a computerized random number generator.
- 2. Random testing will be unannounced and unpredictable and spread reasonably throughout the calendar year.
- 3. Employees are required to proceed immediately to the collection site upon notification of testing.
- 4. Drug Testing and Alcohol Testing may be conducted any time an employee is On Duty.

C. POST-ACCIDENT TESTING

Employees whose conduct contributed to an accident (or cannot be completely discounted as a contributing factor in the opinion of the employee's department head or County Administrator) will be tested as soon as possible for the presence of drugs and alcohol following an accident or incident that involves one or more of the following:

- a. A fatality; or
- b. A bodily injury to any person who is medically treated for the injury; or
- c. damage to property which is estimated at the time of the accident or incident (in the opinion of the employee's Department Head or County Administrator) to be in excess of \$500.00; or
- d. There is otherwise reasonable suspicion for testing as provided in VI(D).

D. REASONABLE SUSPICION TESTING

1. Employees will be required to submit to a drug and/or alcohol testing if reasonable suspicion exists that an employee is violating or has violated this Policy. Any supervisor or employee who believes another employee is violating this Policy should report his or her belief to his or her Department Head, the Human Resources Director, or County Administrator who shall determine appropriate action.
2. The employee shall be prohibited from working or continuing to work when there is cause for reasonable suspicion of violation of this Policy.
3. Written documentation of the manager/supervisor's observations supporting a Department Head's determination of Reasonable Suspicion shall be forwarded to the Human Resources Department or County Administration Department as soon as possible.
4. Upon a determination of reasonable suspicion of violation of this policy, the employee shall be transported immediately to the designated testing facility by a supervisor or Department Head. Prior to testing, the employee will be required to sign a drug/alcohol testing consent form and all other forms required by the testing facility. Failure to submit to testing and sign required forms shall be a violation of this Policy.
5. The employee shall not be permitted to return to work prior to receiving the results of the drug/alcohol test.

E. FOLLOW-UP TESTING

The County may require an employee to undergo drug or alcohol testing without prior notice for a period of one (1) year (i) after the employee's return to work following a confirmed positive test, refusal to submit to a drug test or (ii) after the employee agreeing, in writing, to undergo random or periodic drug and/or alcohol post-rehabilitation testing.

VII. TESTING PROCEDURES

1. The County Human Resources Director or County Administrator will determine which drugs and/or alcohol testing will cover.
2. Specimen samples will be analyzed by the County designated testing facility.
3. Employees/applicants will be informed of the results by the Human Resources Director or County Administrator or the employee's Department Head.
4. Employees/applicants must present a picture I.D. to testing personnel representative prior

to testing.

5. The testing laboratory will report the finding of a Positive Test Result to the Human Resources Director or County Administrator.
6. An employee/applicant may request and receive from the County a copy of the test result report.
7. If an employee/applicant challenges the validity or accuracy of the Positive Test Result, he/she may appeal, in writing, to the Human Resources Director or County Administrator, within three (3) working days of the employee having been notified of the Positive Test Result.
8. The employee/applicant will be responsible for all costs associated with conducting any requested retest.
9. If the results of the drug/alcohol test prove to be negative, any time off work without pay shall be returned to the employee. If the drug/alcohol test prove to be positive, any unpaid time off work will be assessed in the final disposition of discipline.

VIII. DISCIPLINARY ACTION

- A. Any violation of this Policy, including a Positive Test Result, or the use, sale, purchase, possession or distribution of illegal drugs or alcohol while On Duty or on County property, will result in discipline which may include but not be limited to suspension, demotion, or termination at the discretion of the County.
 1. An employee may be given one opportunity to continue employment, at the discretion of the Human Resources Director or County Administrator, after an initial occurrence of a positive drug or alcohol test. However, continued employment, if offered, shall be contingent upon the employee agreeing, in writing, to undergo random or periodic drug and/or alcohol post-rehabilitation testing for one (1) year and satisfactorily participating and completing an Employee Assistance Program. If in-patient rehabilitation treatment is required, the employee may be permitted to use leave permitted under the Family and Medical Leave Act (FMLA), which includes accrued vacation leave and compensatory time.

The appropriate discipline shall be determined based on the employee's total work record, including but not limited to, any prior drug or alcohol problems, along with consideration of the nature and extent of the Policy.

IX. INVESTIGATION

The County will turn over all confiscated drugs to the proper law enforcement authorities. Further, the County will cooperate with and may enlist the services of the proper law enforcement authorities in the course of any investigation.

XII. EDUCATION

Employees have the right to know the dangers of substance abuse in the work place, including the County's policy regarding substance abuse and available assistance concerning such abuse.

Seward County does participate and has an Employee Assistance Program available to its employees. Through the Employee Assistance Program (EAP), the County may periodically institute an educational program for all employees concerning the dangers of substance abuse in the work place.

The County may also provide supervisory training to assist in identifying and addressing substance abuse in the work place.

Employees may voluntarily participate in the EAP or may be required to participate as a condition of continued employment, at the discretion of the County. Participation in an assistance program may be covered by the employee's health insurance plan. However, any costs associated with the employee's participation in an assistance/rehabilitation program which are not covered by the employee's insurance plan will be borne by the employee. Accrued leave may be used during the time an employee is participating in an in-patient treatment program. Leave without pay may be granted, at the discretion of the County, for those employees who have insufficient accumulated leave to complete the program.

XII. AT WILL EMPLOYMENT

Nothing in this Policy shall create any contractual rights in Employees favor or in any way alter the at-will nature of Employee's employment or imply that discharge will occur only "for cause."

Seward County

Announcement of Anti-Drug and Alcohol Misuse Prevention & Testing Policy [Non-regulated, Safety Sensitive Positions]

Notice to all employees:

Substance abuse is a nationwide issue in all sectors of our lives - and the workplace is no exception. Alcohol and drug abuse have a significant health and safety impact as well as seriously affecting Seward County's productivity, product quality, health care costs, workers' compensation costs, and most importantly, the well-being of the most valuable resource - the employees.

As you know, Seward County has always been committed to providing a safe and positive working environment and for looking out for the welfare of our employees. Substance abuse jeopardizes this commitment and undermines the capability of the County to provide high quality products and services.

To address this problem, the County has developed a "Drug and Alcohol Misuse, Prevention & Testing Policy" (herein "Policy") regarding the misuse of drugs and abuse of alcohol while on duty or on County property. The County believes this Policy serves the interests of all employees. Our Policy formally and clearly states that the misuse of drugs and the abuse of alcohol will **not be tolerated**. This policy was designed with two basic objectives in mind:

1. Employees deserve a work environment that is free from the effects of drugs and alcohol and the problems associated with their use; and
2. The County has a responsibility to maintain a healthy and safe workplace.

We believe it is an important and worthwhile venture that we all work together to make County a drug-free workplace and a safe, rewarding place to work.

NOTE: This policy will take effect on September 20, 2021, pursuant to Resolution 2021-25.

All employees are required to sign the accompanying agreement form, indicating that he/she has read, understood, and will comply with the substance abuse policy, and return it to the Human Resources Department or County Administration Department.

Human Resources Director or County Administrator

Date

Seward County
Anti-Drug and Alcohol Misuse Prevention & Testing Policy
[Non-regulated, Safety Sensitive Positions]

Last Chance Acknowledgment

I, _____, request reinstatement or continued employment with Seward County. I understand that my reinstatement to employment is conditional, subject to the following terms:

1. I am participating in and/or have completed an approved rehabilitation program at a licensed, approved facility and will actively comply with any and all follow-up requirements as stated by the particular program's mandates and requirements.
2. I understand that any further violation of the substance abuse policy or failure to comply with and complete the follow-up terms of the approved treatment program will result in my immediate termination of employment.
3. I understand the importance of involving (if applicable) my spouse, family or the significant other person in my life in the process of my recovery program.
4. I understand and recognize the importance of communication between the County's Human Resources Director or County Administrator and treatment provider concerning my performance and compliance with regard to the rehabilitation program. I specifically consent to release of such information to the County and further agree to execute such consents as may be required to release that information. I further consent to the Human Resources Director or County Administrator conveying information concerning my progress to my Department Head.
5. I understand and agree that, as a condition to reinstatement, I am expected to meet all established requirements of the approved rehabilitation program, this Last Chance Acknowledgement, and the Seward County Drug and Alcohol Misuse, Prevention & Testing Policy.
6. I understand that my past conduct and my recovery program require that I comply with random drug and/or alcohol screening requests and procedures during the period of this Agreement as further set forth in the Seward County Drug and Alcohol Misuse, Prevention & Testing Policy.
7. My failure to comply with the terms of this Last Chance Acknowledgement or the Seward County Drug and Alcohol Misuse, Prevention & Testing Policy may result in my immediate termination.
8. I understand that I will be subject to the terms of this Last Chance Acknowledgment for a period of **twelve (12)** months from the date of my reinstatement. **I understand that compliance with this Last Chance Acknowledgment does not constitute a guarantee of continued employment and that I remain an "at-will" employee.**

I understand and agree that my reinstatement and continued employment are conditioned upon my satisfactory compliance with the terms listed above. I have discussed these terms with my supervisor(s) and understand that I will be subject to further disciplinary action, up to and including termination of employment with the County, if I fail to comply with the terms and intent of this agreement.

Employee's Name (print): _____

Employee's Signature: _____

Social Security Number(last 4 digits) _____

Supervisor's Name (print): _____

Supervisor's Signature: _____

Date: _____

**SUPPLEMENT
DILUTE NEGATIVE DRUG TEST RESULTS**

Seward County

This supplement explains what happens when an employer receives a report from the MRO of a negative dilute specimen and employer options.

A negative dilute specimen (Creatinine 5mg/dl to <20 mg/dl, Specific gravity between 1.001 & 1.003) is a specimen that contains an unusually high level of water concentration. Some of the ways this can occur are outlined below:

1. Donor may consume large amounts of water as part of their regular routine.
2. In the case of "shy bladder" collector may offer extra fluids in order to obtain a specimen.
3. Donor may consume large amounts of water in an effort to intentionally dilute the specimen causing drug concentrations to fall below the cutoff levels.
4. Donor may conceal additional water on their person and add to the specimen in an effort to deliberately dilute the sample.

As an employer you may establish different policies regarding dilute negative specimens based on different types of tests. You have the following options:

- a. Accept a negative dilute specimen as a valid drug test.
- b. Require one recollection of the specimen.

Please mark the different types of tests in which your County will accept a negative dilute specimen or require a repeat test to be performed.

Pre-Employment	_____	Accept Test	_____ <u>x</u> _____	Repeat Test
Post-Accident	_____	Accept Test	_____ <u>x</u> _____	Repeat Test
Reasonable Cause	_____	Accept Test	_____ <u>x</u> _____	Repeat Test
Return to Duty	_____	Accept Test	_____ <u>x</u> _____	Repeat Test
Follow-Up	_____	Accept Test	_____ <u>x</u> _____	Repeat Test
Random	_____	Accept Test	_____ <u>x</u> _____	Repeat Test

1. You must treat all employees the same for this purpose. For example, you must not retest some employees and not others for each test type. Retests should be done as soon as possible and within the same selection quarter.
2. You are required to inform your employees in advance of your decisions on these matters.
3. You must ensure that the employee is given the minimum possible advance notice that he or she must go to the collection site.
4. You must treat the result of the recollected test as the test result of record.

Signature

Title

Date

**APPLICANT AFFIRMATION OF
Seward County Anti-Drug and Alcohol Misuse Prevention & Testing Policy
[Non-regulated, Safety Sensitive Positions]
CONSENT AGREEMENT**

STATEMENT OF POLICY

Seward County is committed to providing a safe, drug and alcohol-free workplace for all employees and the general public.

The County is concerned with the safety and well-being of its employees. The County's Drug and Alcohol Misuse, Prevention & Testing Policy sends a clear message that drug or alcohol use while on duty or on County property **WILL NOT BE TOLERATED!**

It is the policy of the County that all applicants for safety sensitive positions who receive a conditional offer of employment or who move into a safety sensitive position, submit to a drug test to document that they are drug free. Refusal to comply with this requirement will be considered the equivalent of receiving a "positive" result for employment and disqualification purposes. Any applicant who receives a "positive" drug screen result will have the offer of employment withdrawn. If an applicant receives a verified positive drug test result and requests a retest of the sample, applicant agrees to pay in advance the County for the cost of the retest.

AFFIRMATION OF POLICY

As an applicant for a position, I affirm that I have read and understand this Seward County Drug & Alcohol Testing Policy Statement. Further, I have received, read, and understand the County's Drug and Alcohol Misuse, Prevention & Testing Policy. I am aware that if I am applying for a safety sensitive position, any offer of employment is conditional upon my taking a drug test and providing a sample with a negative result. If hired into any employment position, for Seward County, I agree to abide by all provisions of the Drug and Alcohol Misuse, Prevention & Testing Policy as a condition of my continued employment with the County.

Applicant Name (Please Print)

Applicant Signature

Date

County Representative

Date

**EMPLOYEE AFFIRMATION OF
Anti-Drug and Alcohol Misuse Prevention & Testing Policy
[All Employment Positions, Except DOT Regulated]**

As an employee of Seward County, I affirm that I have received, read and understand Seward County's Drug and Alcohol Misuse, Prevention & Testing Policy (herein "Policy"). I am aware that under certain circumstances I may be required to undergo a drug and/or alcohol screen as outlined by the County's Policy and that I will be informed prior to the drug/alcohol screen. I agree to abide by all provisions of the Policy as a condition of my continued employment with the County. I am aware and agree that the Policy does not create any contractual rights in my favor or in any way alter the at-will nature of my employment or imply that discharge will occur only "for cause."

Employee Name (Please Print)

Employee Signature

Date

County Representative

Date

APPENDIX A
SEWARD COUNTY
Anti-Drug and Alcohol Misuse Prevention & Testing Policy
[Non-regulated, Safety Sensitive Positions]

Safety Sensitive Positions subject to alcohol and drug testing as per this policy:

Safety Sensitive Positions:

Alcohol Drug Counselor - CBCC	Firefighter / Emergency Medical Responder
Building Inspector - Planning & Zoning	Grounds Maintenance
CBCC - Program Coordinator	Healthy Start Home Visitor Outreach
Cemetery Sexton	Intensive Supervision Officer - CBCC
	Jail Administrator
Child Care Surveyor	Jail Lieutenant
	Jail Sergeant
Clinic Nursing Supervisor	Juvenile Intensive Supervision Officer
Deputy Fire Chief	Landfill Equipment Operator
Deputy Sheriff	Landfill Foreman
Detention Officer	Landfill Maintenance & Grounds Keeper
Detention Officer - Medical	Landfill Truck Driver
Director - Emergency Medical Services	Maintenance Supervisor
Director - CBCC	Maintenance Technician
Director - Emergency Management	Mechanic - Landfill
Director - Health Department	Mechanic - Road & Bridge
Director - JCAPS	Noxious Weed Supervisor
Director - Landfill	Operations Supervisor - JCAPS
Director - M&I Program	Paramedic
Director - Maintenance	Paramedic Supervisor
Director - Planning & Zoning	Patrol Sergeant
Director - Road & Bridge	Program Coordinator - JCAPS
Director - WIC	
Emergency Medical Technician – Advanced (AEMT)	Public Health Nurse (RN)
Emergency Medical Technician (EMT)	Road & Bridge Grader/Equipment Operator
Equipment Operator/Compost	Road Foreman
Fire Captain	Sheriff Deputy Captain
Fire Chief/Investigator	Sheriff Deputy Detective
Fire Lieutenant	Undersheriff
	Waste Haul Foreman
	WIC Registered Nurse

APPENDIX B
SEWARD COUNTY
Anti-Drug and Alcohol Misuse Prevention & Testing Policy
[Non-regulated, Safety Sensitive Positions]

1. DESIGNATED EMPLOYER REPRESENTATION (DER)

Primary Contact

April Warden, Seward County Administrator
515 N. Washington, Suite 204
Liberal, KS 67901
620-626-3327

Secondary Contact

Juan Meza Miramontes, Payroll and Benefits Technician
515 N. Washington, Suite 203
Liberal, KS 67901
620-626-3203

April Warden, County Administrator
515 N. Washington, Suite 205
Liberal, KS 67901
620-626-3212

2. Local Collection Site

TMT Services, Inc.
1010 South Kansas
Liberal, KS 67901
620-624-5789

In most instances the ComplianceOne Mobile Collector can do your collections on site. However, a local collection site has been set up for use when the on-site collector is unavailable.

3. MEDICAL REVIEW OFFICER (MRO)

Nationwide Medical Review
Steven Paschall, M.D.
7160 Graham Road
Indianapolis, IN 46250
Local: 317-547-8620
Toll-Free: 888-265-6362

4. CERTIFIED LABORATORY

Clinical Reference Laboratory
8433 Quivira
Lenexa, KS 66215
Toll-Free: 800-445-6917

**5. EMPLOYEE ASSISTANCE PROGRAM (EAP)
REFERRAL FOR SUBSTANCE ABUSE PROFESSIONAL (SAP)**

Local: 785-575-9343
Toll-Free: 800-999-1196