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City Clerk's Office
Hiawatha City Hall
101 Emmons Street
Hiawatha, Iowa 52233

Memo

To: Mayor and City Council

From: Kelly Kornegor, City Clerk and Kim Downs, City Administrator

Date: May 3, 2017

Re: Employee Policy Manual Amendments (and amending the Part-Time /Temporary/ Seasonal Employee Policy Manual accordingly)

The City Administrator and I are requesting your approval of the following amendments to the Employee Policy Manuals:

1. **Adding - Fire Department Fire Medic On Call Pay**
   The Employee Policy Manual currently contains a policy that addresses the standard work week and overtime calculation for Fire Medics. We are adding a policy to address pay for on call duty and expectations of the Fire Medic while they are assigned to on call duty. Basically the Fire Medic will receive pay for two hours per day for on call time that does not require them to actually be on duty at the fire station and paid actual time worked when the individual does have to be on duty at the fire station.

   Any work time that exceeds 212 hours in a four week period is considered overtime hours for fire department employees. Fire Departments and Police Departments have the ability to set up special work periods that increase the traditional FLSA overtime thresholds beyond a 40 hour work week.

2. **Amending - Recording Work Hours**
   The Recording Work Hours section of the Employee Policy manual is outdated. We recently implemented an electronic time and attendance program where employees login through an online portal to record their work hours and request time off. Department heads have access to this portal to go out and approve the timesheets for their departments. At the end of the payroll period, the Deputy Clerk is able to import all timesheets to process bi-weekly payroll.

   The changes you see to this section reflect the current process employees follow to complete their timesheets and leave requests using the electronic time and attendance program.

3. **Amending – Vacation Policies**
   Our current vacation usage policy allows vacation time to be taken in increments of no less than one (1) hour. We have not been following this policy as written. If an employee needs to take some vacation time and it fits with the department schedule, supervisors are allowing vacation usage by the quarter hour as this is how we run our payroll system.

The changes to the vacation policy will allow vacation time to be taken in increments of no less than 0.25 minutes.

4. **Amending – Substance Abuse Policy**
The Substance Abuse Policy applies to all employees who are not required to hold a Commercial Driver's License (CDL) in order to operate heavy vehicles and equipment for the City of Hiawatha. CDL employees fall under a separate DOT Drug and Alcohol Policy (also found in our Employee Policy Manual) because they have to comply with U.S. Department of Transportation guidelines.

The Substance Abuse policy outlines matters such as the prohibitions for drug and alcohol use in the workplace, drug and alcohol testing of prospective and current employees, discipline of employees in connection with drugs and alcohol test results, signs and symptoms of drug and alcohol usage, rehabilitation, and drug and alcohol help lines.

Kim and I worked with members of the management team and the City Attorney's office to draft the changes to the Substance Abuse Policy. You will notice minor clean up changes throughout the policy but the main focus is on the employee drug and alcohol testing procedures as they pertain to Workplace Accident Testing. Note the changes will also apply to the Fire Department and Police Department.

Previous language under the Workplace Accident Testing policy said the City **MAY** conduct drug testing when a workplace accident occurs and certain conditions listed in the policy are met. Under the new policy, the City **WILL** conduct drug or alcohol testing if a workplace accident occurs while an employee is operating a City vehicle, tool or equipment, when any of the following conditions apply: 1) an accident results in an injury to a person which, if suffered by an employee, constitutes an injury other than a minor injury requiring only first aid treatment which does not involve medical treatment, loss of consciousness, restriction of work or motion, or transfer to another job, where a record or report could be required under Iowa Code Chapter 88 Occupational Safety and Health, or 2) an accident resulted in damage to property, including equipment, in an amount reasonably estimated at the time of the accident to exceed one thousand dollars ($1,000.00).

Our goal with these changes is to lay out the criteria that will automatically trigger a drug or alcohol test to be conducted on an employee who is involved in a workplace accident while operating City vehicles, tools or equipment. CJ Cooper and Associates located in Hiawatha is our drug and alcohol testing facility and they are available to come onsite 24 hours a day if necessary.

Other changes to the Workplace Accident Testing policy include:

- A supervisor may enlist the help of law enforcement to investigate a workplace accident immediately after occurrence when they need assistance in determining if the damage threshold has been met to trigger the drug or alcohol test.

- If a workplace accident involves a City vehicle, the supervisor will request an accident report from law enforcement for the records.

- If a workplace accident involves operation of City tools or equipment, the supervisor will prepare an accident report containing a detailed description of accident and estimated damage to tools or equipment for the records.

Other noteworthy changes to the Substance Abuse Policy include:

- All supervisors will be trained on recognizing the signs and symptoms of drugs and alcohol usage and abuse. By going through the Supervisor Awareness Training annually as required, all of our supervisors will be qualified to make reasonable suspicion observations and have the authority to order drug or alcohol testing if they make the determination an employee is impaired.

- CJ Cooper provided us with an updated chart covering the Signs and Symptoms of Drugs and Alcohol Usage and helpline poster. We replaced our old information with the new chart and poster and added the missing drug names to the list of drugs CJ Cooper will be testing for when they run urine specimens.

- Changed the language in relation to discipline following an employee's first confirmed positive drug or alcohol test. The proposed changes gives management the ability to make a decision on the best way to discipline an employee based on the circumstances at hand, including rehabilitation, suspension or termination if deemed appropriate. Remember one solution does not fit all circumstances.

  Previous policy was to rehabilitate in all situations following an employee's first confirmed positive drug or alcohol test.

- Changed the language in relation to discipline following an employee's positive drug or alcohol test during or after completion of rehabilitation following an employee's first confirmed positive drug or alcohol test. The new policy would be to terminate an employee who fails a drug or alcohol test during or after completion of rehabilitation.

  Under previous policy, in a situation where an employee tested positive for drugs or alcohol during or after completion of rehabilitation; management MAY require an employee to be evaluated by a Substance Abuse Professional and undergo additional treatment as recommended by the professional. If the employee successfully completed the treatment program no disciplinary action would be taken. If the employee refused to be evaluated or failed completion of the treatment they would be disciplined up to termination.

NOTE: The City Attorney's office worked with us on the changes to the Substance Abuse Policy, provided suggested language changes, and reviewed the final product.

5. **Amending - DOT Drug and Alcohol Policy**

   As stated previously in this memo, employees who are required to hold a CDL Driver's License to operate heavy vehicles and equipment, have a separate DOT Drug and Alcohol Policy because they fall under the U.S. Department of Transportation (DOT) rules and regulations. CDL employees are also required to be placed in a random selection pool for drug and alcohol testing where our non-CDL employees are not.

CJ Cooper and Associates assisted us in updating this policy as they are very experienced in dealing with DOT drug and alcohol regulations and employee testing requirements.

The changes to the DOT Drug and Alcohol Policy and Driver Handout are very minor and include:

- Adding language to provide guidelines for employees who are using prescription and over the counter medications.
- Adding the new Signs and Symptoms of Drugs and Alcohol Usage chart and helpline poster, and added the missing drug names to the list of drugs CJ Cooper will be testing for when they run urine specimens.
- Updating DOT testing rates that were changed on January 1, 2016.

Thank you for your consideration of the changes to the Employee Policy Manuals. We would be happy to answer any questions you may have.

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RESOLUTION NO. 17-
City Council

RESOLUTION AMENDING THE EMPLOYEE POLICY MANUAL SECTION III HOURS OF WORK, ATTENDANCE AND ABSENTEEISM AND RECORDING WORK HOURS, AMENDING SECTION VII SUBSTANCE ABUSE POLICY, AND AMENDING SECTION VIII VACATION POLICIES, DOT DRUG AND ALCOHOL POLICY AND DOT DRIVER HANDOUT

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HIAWATHA, IOWA, to amend the Employee Policy Manual by amending Section III Hours of Work, Attendance and Absenteeism and amending Recording Work Hours, amending Section VII Substance Abuse Policy, amending Section VIII Vacation Policies, and amending DOT Drug and Alcohol Policy and DOT Driver Handout (and amending the Part-Time / Temporary / Seasonal Employee Policy Manual accordingly), as follows:

SECTION III

Fire Department Fire Medic Standard Work Week and Overtime Calculation: The Hiawatha Fire Department – Fire Medic standard work week and overtime calculation shall be based on 212 working hours in a four (4) week period. Non-exempt employees whose hours exceed 212 working hours in a four (4) week period will be calculated at 1 ½ times their regular rate.

Fire Department Fire Medic On Call Pay
Fire Medics scheduled for on call duty will be paid for two (2) hours per day at their regular rate of pay when they are not required to be on duty at the fire station. Fire Medics scheduled for on call duty who are required to be on duty at the fire station will be paid for actual time worked.

When on call, the Fire Medic is free to move about the community, providing the Fire Medic can be at the Hiawatha Fire Station within the five (5) minute requirement.

If the on call duty time causes the Fire Medic to work more than 212 working hours in a four (4) week period, the Fire Medic will receive overtime pay for the time in excess of 212 hours.

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Recording Work Hours

~~By law, we are obligated to keep accurate records of the time worked and lunch break taken by non- exempt employees.~~Non-exempt ~~E~~employees are responsible for accurately recording the ~~hours that they work along with their designated lunch period on the time sheets provided indicating beginning and ending times, as well as the beginning and ending time of each lunch period~~time they begin and end their work, as well as the beginning and ending time of their lunch period. It is the employee's responsibility to certify the accuracy of all time recorded into the Time Card system and complete necessary leave requests in advance for approval by the employee's supervisor. Accuracy is essential, as ~~your~~ the employees' pay will be calculated from these time records. In the event of an error in reporting time, employees must immediately report the issue to their supervisor who will be responsible for correcting any errors in the Time Card system before releasing the timesheet to the City Clerk's office for processing.

Clock In for Non-Exempt Employees – Employees may clock in no earlier than 7 ½ minutes prior to their scheduled start time and the calculation of hours worked will begin at the employee's scheduled start time. Clock in earlier than 7 ½ minutes prior to the scheduled start time must be authorized in advance by employee's supervisor and calculation of hours worked will be recorded to the nearest quarter hour.

Clock Out for Non-Exempt Employees – In the event an employee clocks out prior to the end of normally scheduled work hours (where previously approved leave is not taken), the calculation of hours worked will be recorded to the nearest quarter hour. The calculation of hours worked for clock outs up to 7 ½ minutes after an employee's scheduled shift end time will be paid to the employee's scheduled shift end time. Clock outs beyond 7 ½ minutes past the employee's scheduled shift end time must be authorized in advance by the employee's supervisor and calculation of hours worked will be recorded to the nearest quarter hour.

Each Department Head ~~must~~ is responsible for ~~turn in~~approving their staff's time sheets for each pay period in the Time Card system, ~~to the City Clerk (or designee)~~ no later than noon on the day following the close of the pay period. Employees time sheets are subject to verification by their supervisor and the City Clerk's office at any time.
~~**No one** may sign in or out for another employee. This conduct is cause for immediate disciplinary action up to and including termination.~~
~~You must sign your time sheet at the end of each pay period in order to be paid for the hours worked. Your time sheet is subject to verification by management at any time. ***Falsification of a time record is an infraction of policy and grounds for disciplinary action up to and including termination.***~~
Exempt employees are not required to record work hours in the Time Card system unless the exempt employee is taking leave such as vacation, personal time, sick, bereavement, etc. When taking leave, exempt employees must complete a leave request in the Time Card system to report the appropriate deduction from leave banks to their direct supervisor and the City Clerk's office for processing. If no leave is taken, exempt employees will be paid for 80 hours in a two week period.

Altering, falsifying, tampering with time records or recording time on another employee's time record may result in disciplinary action, up to and including termination of employment.

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SECTION VII

SUBSTANCE ABUSE POLICY

Purpose

The City recognizes the problems of substance abuse in society and in the workplace. Substance abuse poses a serious threat to our staff and citizens. As a direct result of the City's concern for the health and safety of all employees and citizens, the City has adopted this Substance Abuse policy pursuant to Iowa law.

General Rule

All of the City's employees, including persons in the service of the City, must report to work and remain free of drugs, intoxicants, alcohol, narcotics, or any other controlled substance. Our substance abuse policy seeks to balance the privacy of employees with the City's need to maintain a safe, productive work environment free from drugs and alcohol. Our intention is to prevent substance abuse and promote its treatment. We encourage those who use drugs and/or abuse alcohol to seek help in overcoming such a problem.

~~**Applicability**~~

~~(Iowa Code 730.5, Private Sector Drug Free Workplaces)~~

Definitions

"Abuse" of alcohol or a legal drug: Any use of alcohol or a legal drug which impairs an individual's faculties (other than use of a legal drug for appropriate purposes in accordance with applicable medical directions). In addition, the taking of a prescription drug that was prescribed for another person shall be considered "abuse" of a legal drug.

"Alcohol": Ethanol, isopropanol, or methanol.

"Confirmed positive test result" means the results of a blood, urine or oral fluid test in which the level of controlled substances or metabolites in the specimen analyzed meets or exceeds nationally accepted standards for determining detectable levels of controlled substances as adopted by the federal substance abuse and mental health services administration.

"Drug": Any drug or substance defined as a controlled substance and included in schedule I, II, III, IV or V under the federal Controlled Substances Act, 21 U.S.C. § 801 et seq.

"Legal drug": A drug for which there is a valid prescription or over-the-counter drug for the employee.

"Medical review officer" means a licensed physician, osteopathic physician, chiropractor, nurse practitioner, or physician assistant authorized to practice in any state of the United States, who is responsible for receiving laboratory results generated by an employer's drug or alcohol testimony program, and who has knowledge of substance abuse disorders and has appropriate medical training to interpret and evaluate an individual's confirmed positive test results together with the individual's medical history and any other relevant biomedical information.

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"Prospective employee": A person who has made application, either written or oral, to the City to become an employee.

"Safety-sensitive position": A job wherein an accident could cause loss of human life, serious bodily injury, or significant property or environmental damage, including a job with duties that include immediate supervision of a person in a job that meets the requirement of this definition.

"Sample": A sample from the human body capable of revealing metabolites, such as urine, saliva, skin, or hair. –"Sample" does not include blood, except in situations where a blood test was administered by or at the direction of a person providing treatment to the employee and the test was not made at the request of or by the suggestion of the employer.

Work Rules

Legal Drugs

1. Prescription drugs. An employee may bring to work and take a prescription drug during work hours only if the drug has been prescribed for the employee by a physician or other authorized prescriber and only if the drug is taken in accordance with the prescriber's directions. All prescription drugs must be kept in the container in which they were received from the pharmacy or other dispenser. ~~Employees using prescriptions that may cause side effects or who are under the influence of any prescribed medication may advise the city clerk of that fact before reporting to work. If a potential side effect could cause an unsafe condition in the workplace, City of Hiawatha may determine that the employee cannot work. The legal use of prescribed drugs is permitted on the job only if it does not impair an employee's ability to perform the essential functions of the job effectively and in a safe manner that does not endanger other individuals in the workplace.~~

2. Over-the-counter drugs. An employee may bring to work and take an over-the-counter drug during work hours only if the drug is used for its intended purposes and in accordance with package directions and any other directions of the employee's physician.

3. Notification. Employees using prescriptions that may cause side effects or who are under the influence of any prescribed medication ~~may~~must notify ~~advise~~ the city clerk of that fact before reporting to work. In deciding whether such a drug may affect safety or work performance, the employee should rely on the warnings or cautions that accompany the particular ~~legal~~prescribed drug. If a potential side effect could cause an unsafe condition in the workplace, the City of Hiawatha may determine that the employee cannot work. The legal use of prescribed drugs is permitted on the job only if it does not impair an employee's ability to perform the essential functions of the job effectively and in a safe manner that does not endanger other individuals in the workplace.

~~3.~~4. ~~An employee must notify the City Clerk whenever the employee is using a prescription or over-the-counter drug which potentially may affect safety or work performance. In deciding whether such a drug may affect safety or work performance, the employee should rely on the warnings or cautions that accompany the particular legal drug. The City does not seek information on all drugs that an individual may be taking, but only those where there is an indication that the drug may affect performance, or there is a caution that one should not engage in certain activities which are part of the employee's job duties while taking the drug~~. The City reserves the right to take appropriate action, including requiring that the employee no longer work, if the use of the drug is impairing or is deemed likely to impair the employee's faculties or work performance.

~~4.~~5. Abuse. Abuse of legal drugs will not be tolerated. The City will treat abuse of legal drugs in the same manner as the use of controlled substances.

Alcohol and Drug Possession, Transfer or Use

Except as provided in the above rules concerning legal drugs, an employee who brings or attempts to bring onto work premises, has possession of, uses, consumes, transfers, sells, or attempts to transfer or sell, any alcoholic beverage, prescription drug, or any form of controlled substance, or any "look alike" substance, while on City business or at any time during the employee's work day, whether or not on duty, is guilty of misconduct and is subject to discipline, up to and including discharge, even for the first offense.

Impairment during Work Hours

1. An employee whose faculties appear to be impaired during work hours will not be allowed to work.

2. An employee whose faculties are impaired during work hours due to the effects of alcohol, the illegal use of a controlled substance, or the abuse of a legal drug, is subject to discipline, up to and including discharge, even for the first offense. However, if the City chooses to conduct a drug or alcohol test, discipline will be imposed in accordance with the rules set forth below.

Prospective Employee Discipline in Connection with a Drug and Alcohol Test

Prospective employees may be required to undergo a drug or alcohol test under certain circumstances set forth below (see "Drug or Alcohol Testing of Employees and Prospective Employees.~~,~~" ~~Part V (A).~~ To be considered qualified for employment with the City; the City must receive a "negative" report on the drug screen. If such a "negative" report is not received, the prospective employee will not be considered qualified for employment and the application process will be terminated. If a conditional offer of employment has been extended, the offer will be withdrawn. A prospective employee's positive drug test result, or the refusal of the prospective employee to provide a test sample, does not prevent the prospective employee from later applying for employment with the City.

Employee Discipline in Connection With a Drug and Alcohol Test

Employees may be required to submit to a drug or alcohol test under certain circumstances set forth below (see "Active Employee Drug Testing Program.~~,~~" ~~Part V (B).~~ The following is a list of uniform actions which the City will take against an employee upon receipt of a confirmed positive drug or alcohol test result, or upon the employee's refusal to submit to such a test. Any action taken by the City pursuant to this policy is based only on the results of the drug or alcohol test, and shall not in any way take into account race, age, gender, job performance, job classification, seniority, salary, representation status or activities, political philosophy, religion, creed, national origin, or any other personal factor, whether work related or not.

Refusal to Submit to Test. An employee's refusal to submit to a drug or alcohol test when requested to do so will result in termination.

1. First Positive Drug and AlcoholTest Result. An employee's first confirmed positive drug or alcohol test ~~will~~ may result in any of the following disciplinary actions:

a. ~~t~~The employee being required to enroll in an approved rehabilitation treatment or counseling program. The program may include additional drug or alcohol testing. If the employee participates in and successfully completes the program, the employee will not be subject to further discipline based on the test result. However, failure to comply with these requirements will result in termination.

b. The employee may be suspended, with or without pay, for a designated period of time.

c. The employee may be terminated.

~~1.~~2. Follow-up Testing. The follow-up testing will be performed for a period one to six years based upon the Substance Abuse Professional's recommendation.

~~2.~~3. Second positive test. An employee who has previously participated in rehabilitation under ~~sub~~paragraph (~~2~~1) above due to a positive test, and who tests positive on a subsequent drug or alcohol test, will be terminated.

~~3.~~4. Pre-Result Suspension for Certain "Reasonable Suspicion" testing. If an employee has submitted to a drug or alcohol test pursuant to the City's "reasonable suspicion" provision, the employee will be suspended without pay, pending the City's receipt and result of the test. If the result of the test does not violate the terms of the City's substance abuse policy, the employee will be reinstated with back pay and interest.

Substance Abuse Testing Programs

1. Drug and Alcohol Testing of Employees and Prospective Employees. The ~~Company~~ City may conduct the following testing of both prospective employees and current employees.

   Drug and Alcohol Testing. The ~~Company~~ City may conduct pre-employment drug testing designed to prevent hiring individuals who use illegal drugs or who abuse legal drugs. The ~~Company~~ City will also conduct drug and alcohol testing of current employees in an effort to discourage and prevent employees from using illegal drugs and abusing legal drugs. ~~-~~The employee or prospective employee may provide any information which may be relevant to the drug or alcohol test. Such information may include identification of prescription or nonprescription drugs currently or recently used, or any other relevant medical information. All precautions will be taken to ensure that the testing will only measure, and the records concerning the testing only make use of information regarding drugs or alcohol in the body. ~~The following drugs will be tested for:~~

~~Marijuana (the Company has a "zero tolerance" for marijuana and has instructed its medical review officer that no explanation for the presence of this substance should be accepted);~~

~~Cocaine;~~

~~Opiates (including morphine and codeine);~~

~~Phencyclidine (PCP);~~

~~Amphetamines (including methamphetamines);~~

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~~Alcohol~~

Urine specimens may be analyzed for, up to and including the following drugs: (1) Cocaine, (2) Opiates, (3) Marijuana, (4) Amphetamines, (5) Phencyclidine (PCP), (6) Benzodiazepine, (7) Barbiturates, (8) Methadone, (9) Methamphetamines, (10) Oxycodone, (11) Ethanol, (12) MDMA, (13) Proposyphene, and (14) Buprenorphine.

~~2.~~ 2. Prospective employees. The City will conduct a pre-employment drug screen of all prospective employees who will be required to operate City vehicles. The City must receive a "negative" report on the drug screen in order for a prospective employee to be considered qualified for employment. If such a "negative" report is not received, the prospective employee will not be considered qualified for employment and the application process will be terminated. If a conditional offer of employment has been extended, the offer will be withdrawn.

3. Active Employee Drug and Alcohol Testing Program. The City may require current employees to undergo drug or alcohol testing in the following circumstances:

   a. Reasonable Suspicion. The City may require that an employee undergo a drug or alcohol test if the City has evidence that an employee is using or has used drugs or alcohol in violation of the City's written policy. This evidence must be drawn from specific objective and particularly facts and reasonable inferences drawn from those facts in light of experience. Facts and inferences may be based upon, but not limited to, any of the following:

      - Observations made at work, such as direct observation of drug or alcohol use or abuse or of the physical symptoms of being impaired due to drug or alcohol use.

      - Abnormal conduct or erratic behavior while at work or a significant deterioration in work performance.

      - A report of drug or alcohol use provided by a reliable and credible source.

      - Evidence that an individual has tampered with any drug or alcohol test during the individual's employment with the Company.

      - Evidence that an employee has manufactured, sold, distributed, solicited, possessed, used, or transferred drugs or alcohol while on the employer's premises or while operating the employer's vehicle, machinery, or equipment.

In order to conduct drug or alcohol testing, all supervisory personnel involved with drug or alcohol testing shall attend a minimum of two (2) hours of initial training and will attend thereafter on an annual basis, a minimum of one hour of subsequent training. Training will include ~~E~~education ~~for supervisors (trained official) will include~~on signs and symptoms of drugs and alcohol misuse, determining the need for reasonable cause testing, and testing requirements. This training will be at least one (1) hour in duration for alcohol education and at least one (1) hour for drug educations~~. A "trained official" is one who has undergone at least two (2) hours of education that includes behavioral, physical, speech, and performance indicators of possible drug and alcohol use.~~

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All trained supervisory personnel observing abnormal conduct or erratic behavior displayed by an employee, must enlist the help of the City Administrator or City Clerk, or another trained supervisor in their absence, before drug or alcohol testing is ordered.

4. Rehabilitation Testing. The City may conduct drug or alcohol testing of employees during and after completion of drug or alcohol rehabilitation. Upon an employee's positive drug or alcohol test in these circumstances, the employee will be terminated.~~, an employee may be required to submit to evaluation by a Substance Abuse Professional (SAP) and will undergo treatment as recommended by the SAPin these circumstances, the employee will be subject to discipline, up to and including termination. If the employee successfully completes the treatment, no disciplinary action will be taken against the employee. If the employee refuses to be evaluated or fails to successfully complete the recommended treatment, the employee will be disciplined, up to and including termination from employment. (*See Exception)~~

5. Workplace Accident Testing. The City will conduct drug or alcohol testing if a workplace accident occurs while an employee is operating a City vehicle, tool or equipment, when any of the following conditions apply: 1) an accident results in an injury to a person which, if suffered by an employee, constitutes an injury other than a minor injury requiring only first aid treatment which does not involve medical treatment, loss of consciousness, restriction of work or motion, or transfer to another job, where a record or report could be required under Iowa Code Chapter 88 Occupational Safety and Health, or 2) an accident resulted in damage to property, including equipment, in an amount reasonably estimated at the time of the accident to exceed one thousand dollars ($1,000.00).

~~The City may conduct drug testing in investigating accidents in the workplace, where the accident results in an injury to a person other than a minor injury requiring only first aid treatment and which did not involve medical treatment, loss of consciousness, restriction of work or motion, or transfer to another job, or where the accident resulted in an injury to a non-employee for which injury, if suffered by an employee, a record or report could be required under chapter 88 (IOSHA), or resulted in damage to property, including to equipment, in an amount reasonably estimated at the time of the accident to exceed one thousand dollars.~~

If a workplace accident occurs while an employee is operating a City vehicle, tool or equipment and any of the conditions listed in Item (5~~.~~) above apply; the employee's supervisor may call law enforcement to investigate the accident immediately after occurrence. The employee's supervisor will make the determination if necessary in consultation with law enforcement if the damage threshold has been met.

If a workplace accident occurs while an employee is operating a City vehicle, the employee's supervisor will request an accident report from law enforcement. The supervisor will submit a copy of the accident report to the City Clerk's office.

If a workplace accident occurs while an employee is operating City tools or equipment, the employee's supervisor will prepare an accident report containing the date, time, detailed description of accident and estimated damage to tools or equipment. The supervisor will submit a copy of the accident report to the City Clerk's office.

~~5.~~6. Federal Laws and Regulations. The City may conduct drug or alcohol testing as required by a federal law or regulation or by law enforcement. Such testing will apply to those employees who have a commercial drivers' license (CDL) and are subject to drug and alcohol testing by federal DOT standards, separate and apart from testing of other employees under this policy.

~~Test Scheduling. Drug testing shall normally occur during, or immediately before or after, a regular work period. The time required for testing, including travel time, is considered work time for purposes of the FLSA, compensation and benefits.~~

Test Costs. The actual costs of testing, other than for a second, confirmatory test if one is requested by the employee as provided by law, are paid by the City. If the drug or alcohol sample collection is conducted at a place other than the employee's work site, the City will provide transportation, or pay reasonable transportation costs to the employee.

-Exception. In the event of a positive alcohol test in which the alcohol concentration exceeds the level established by the City of .04 BAC— and under certain other conditions—the employer *may* be required to pay up to $2,000 in rehabilitation costs for the employee in question, depending on employee benefit plan coverage. This requirement applies only to employers with at least 50 employees and only if the employer has employed the employee for at least 12 of the preceding 18 months; and the employee is a first-time violator of the employer's substance abuse policy; and the employee agrees to receive rehabilitation, if required by the employer's policy.

Note: Hiawatha Volunteer Fire Members performing duties on a fire truck or ambulance shall fall under a zero (0) tolerance policy.

Employee Assistance with Substance Abuse

The City recognizes the personal and health problems that can arise when a person uses illegal drugs or abuses alcohol and legal drugs. The City strongly encourages employees who are experiencing problems of this nature to seek help from a program designed to help persons who are experiencing alcohol and other drug abuse problems. The City maintains a resource file of employee assistance services providers and other organizations available to assist employees with personal or behavioral problems. The information in the resource file includes names and phone numbers of organizations which an employee may contact concerning their problems. Notices of such assistance providers are posted in all City buildings and in the Appendix of this Employee Policy Manual.

Employees should be aware that the City policies and rules concerning discipline are separate and distinct from any rehabilitation an employee wishes to participate in. The fact that an employee chooses to seek assistance through a program designed to help employees with problems will not be grounds for disciplinary action, such a program will not be grounds for negating or reducing any disciplinary action taken by the City for a violation of the rules set forth in the Substance Abuse Policy. If the employee chooses not participate in rehabilitation will be grounds for termination.

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SIGNS AND SYMPTOMS OF DRUG AND ALCOHOL USAGE

~~Signs and Symptoms of Drug and Alcohol Usage~~

Drug Name	Substances Detected in Urine	What to Look For & Physical Symptoms	Dangers	Time Detectable in Urine
Amphetamines •Uppers •Speed •Meth •Dexies •Crank •black Beauties	Methamphetamine, Amphetamine	Tablets of varying colors, possible chain smoking, long periods without rest or sleep. Loss of appetite, irritability, rapid speech, tremors, mood elevations	Disorientation, severe depression, paranoia, possible hallucinations, increase in blood pressure, fatigue	1-2 Days
Cocaine •Coke •Crack •Flake •White Candy •Free Base • Toot •Blow	Benzoylecgonine	Glassine envelopes, razor, small spoons, odorless, bitter white crystalline powder, granular rocks, short-lived euphoria changing to depression, irritability, nervous, tightness of muscles	Shallow breathing, fever, anxiety, tremors, possible death from convulsions or respiratory arrest	1-3 Days
Marijuana •Dope •Pot •Reefer •Joint •Grass •Blow	11-Nor-delta9-tetrahydrocannabinol-9-carboxytic acid THC	Plastic baggies, rolling paper, 'roach' clips, odor of burnt rope. Altered perception, dilated pupils, lack of concentration and coordination, craving for sweets, increased appetite, laughter	Psychological dependence, increased heart rate, impaired short-term memory, anxiety, lung damage, possible psychosis with chronic use	Occasional use: 1-3 days Chronic use: Up to 30-60 days
Opiates • Heroin (smack, horse, junk) •Morphine ('M', Miss Emma) •Codeine (school boy)	Codeine, Morphine	Glassine Envelopes, needles and syringes, caps or spoons, tourniquets, needle marks on arms. Insensitivity to pain, euphoria, sedation, nausea, vomiting, itchiness, water eyes, running nose)	Lethargy, weight loss, hepatitis, slow and shallow breathing, possible death	1-3 Days
Phencyclidine •Angel Dust •Devil Stick •PCP •Dummy Dust	Phencyclidine	Liquid Capsules. White or brown powder can be put on paper stamps, sugar cubes, cigarettes or joints. May be injected. Increased pulse and heart rate, blood pressure and temperature. Mood and perception alteration possible, paranoia, panic, anxiety, nausea, tremors, suicidal urge	Unpredictable behavior, flashbacks, possible emotional instability and psychosis, hallucination	Occasional use: 1-3 days Chronic use: Up to 30 days
Barbiturates •Downers •Dolls •Reds •Tuinal •Rainbows •Yellows •Blues •Goof Balls	Secobarbital Phenobarbitol Pentobarbitol Butobarbital Amobarbital	Capsules of varying colors, longer periods of rest or sleep, dizziness, cold and clammy skin. Depression, decreased alertness and muscle control, intoxication and slurred speech, drowsiness	Rigidity and painful muscle contraction, emotional instability, possible overdoses and death, especially when mixed with alcohol	Pentobarbital and others: 1-3 Days Phenobarbital: 1-3 Weeks

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Drug Name	Substances Detected in Urine	What to Look For & Physical Symptoms	Dangers	Time Detectable in Urine
Methadone ● Done ●Dolophine ●Methadose	Methadone	Tablets. Liquid injection. Euphoria, drowsiness, respiratory depression, constricted pupils, nausea	Slow, shallow breathing, clammy skin, convulsions, coma, possible death	1-3 Days
Methaqualone ●Ludes ●Quaaludes	Methaqualone	Tablets. Slow heart rate and breathing, lowered blood pressure. Sleepiness, feeling of well being, loss of coordination, dizziness, impaired perception, confusion, later hangover	-	1-3 Days
MDMA ●Ecstasy ●Adam ●XTC ●MDA ●MDE ●X	Methylenedioxymetham phetamine	Tablets. Euphoria, confusion, anxiety, sleeplessness, drug craving and paranoia. Used at all night RAVE dance parties	Muscle tension, teeth clenching, nausea, tremors, rapid eye movement, chills, possible death	1-2 Days
Propoxyphene	Propoxyphene	Tablets, capsules. Dizziness, drowsiness, headache, euphoria, dysphoria	Skin rash & other allergic reactions occur occasionally and may be accompanied by drug fever and mucosal lesion, stupor or coma; convulsions, respiratory depression	1-3 Days
Buprenorphine ●Buprenex ●Temgesic	Buprenorphine	Pinpoint pupils, extreme drowsiness, dizziness, blurred vision, slowed breathing	-	1-6 Days
Alcohol	Ethanol	Dulled mental processes, Lack of coordination, Odor of alcohol on breath, Pupils will be constricted, Sleepy condition, Slowed reactions, Slurred speech, Anxiety or jumpiness, Shakiness or trembling, sweating, nausea and vomiting, insomnia, Irritability, headache	depression, anxiety, and suicide, Social problems, liver damage, Inflammation of the esophagus, Aggravation of peptic ulcers, Acute and chronic pancreatitis, Malabsorption of food nutrients that will lead to malnutrition, Heart attack, Hypertension, Stroke Immune system depression, Brain damage (dementia, blackouts, seizures, hallucinations, peripheral neuropathy).	Varies - up to 8 hours

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FOR MORE INFORMATION OR ASSISTANCE YOU CAN TRY SOME OF THE FOLLOWING SOURCES:

Cocaine Anonymous: (800) 347-8998
Center for Substance Abuse: (800) WORKPLACE
National Clearinghouse for Alcohol and Drug Abuse: (800) 729-6686
NIDA's treatment Hotline: (800) 662-HELP

Some helpful and interesting websites are:

www.drughelp.org www.doj.gov www.dea.gov www.samsha.gov www.health.org

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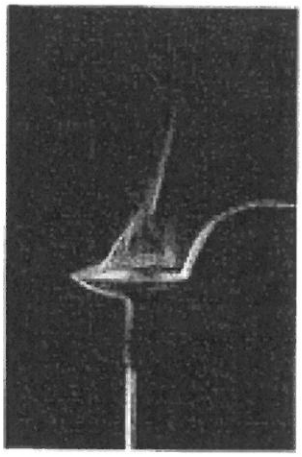
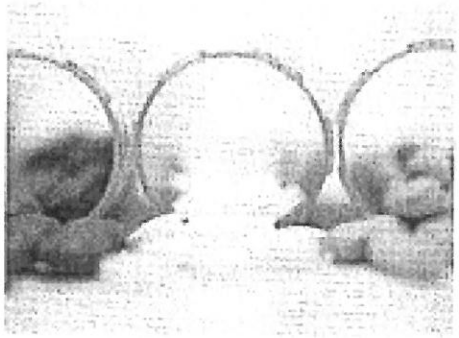
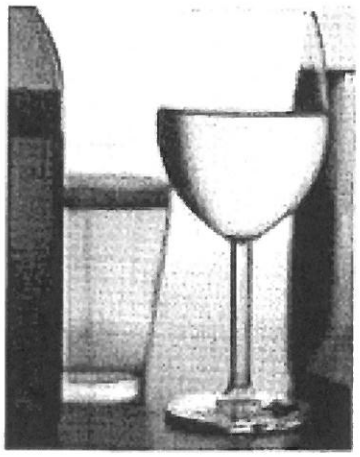
Confidential Alcohol & Drug Abuse Helplines







If you or someone you know has a problem with alcohol or other drugs, call for confidential help.

Toll – Free Helplines

Iowa's Drug & Alcohol Helpline	866-242-4111
Alcohol & Drug Dependence Hope Line	800-622-2255
Marijuana Anonymous	800-766-6779
Inhalant Prevention Coalition	800-269-4237
Al-Anon (for families of alcoholics)	888-425-2666
Cocaine Hotline (for all drugs)	800-262-2463
Iowa Center for Substance Abuse Treatment	866-242-4111

(Referral Routing Service available in English & Spanish)

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EMPLOYEE ACKNOWLEDGEMENT FORM

This acknowledgement form is to certify that the undersigned on the date indicated received a copy of the substance abuse policy for use while employed with the City of Hiawatha.

I acknowledge that I have received a copy of the substance abuse policy and that it is my responsibility to read the policy and any revisions made to it and act in accordance with its provisions.

I understand that this policy is intended to supersede and replace all previous employee handbooks, manuals and policy statements, whether oral or written, issued by the City of Hiawatha.

_____

Employee Signature Date

_____

Employee Printed Name

SECTION VIII

Vacation Policies

The City of Hiawatha recognizes the importance and necessity of time away from your job for purposes of leisure, recreation and relaxation. Full-time hourly and salaried employees are eligible for paid vacation time based on their length of service. Part-time employees who work less than 30 hours a week do not earn paid vacation, with the exception of specific positions as detailed in other sections (some 30 hour library positions and some 32 hour water positions). Vacation time may not be taken in increments of less than 0.25 minutes.

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CITY OF HIAWATHA

DOT DRUG AND ALCOHOL POLICY

Prescription / Over-The-Counter Medications

Employees should use both prescription and over-the-counter medications in the prescribed manner. Employees are encouraged to discuss their job functions / duties with their medical provider prior to the medical provider prescribing medications that may have potential adverse effects posing a safety risk to the employee or others. Employees using prescriptions that may cause side effects or who are under the influence of any prescribed medication may advise their manager of that fact before reporting to work. If a potential side effect could cause an unsafe condition in the workplace, City of Hiawatha may determine that the employee cannot work. The legal use of prescribed drugs is permitted on the job only if it does not impair an employee's ability to perform the essential functions of the job effectively and in a safe manner that does not endanger other individuals in the workplace.

DRUG AND ALCOHOL TESTING
TRAINING AND AWARENESS

DRIVER HANDOUT

Controlled Substances
In the regulation, the terms "drugs" and "controlled substances" are interchangeable and have the same meaning.

Unless otherwise provided, these terms refer to:

- Marijuana
- Cocaine
- Opiates
- Phencyclidine (PCP)
- Amphetamines
- Barbiturates
- Methadone
- Methaqualone
- MDMA
- Propoxyphene
- Buprenorphine
- Alcohol

Testing rates are as follows:

10% of the average number of driver positions must be randomly tested for alcohol during the year.

~~50~~25% of the average number of driver positions must be randomly tested for controlled substances during the year.

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NOTE: DOT will change the testing rates. The testing rates ~~have not been changed since 1998~~were changed on January 1, 2016.

SIGNS AND SYMPTOMS OF DRUG AND ALCOHOL USAGE

Drug Name	Substances Detected in Urine	What to Look For & Physical Symptoms	Dangers	Time Detectable in Urine
Amphetamines •Uppers •Speed •Meth •Dexies •Crank •black Beauties	Methamphetamine, Amphetamine	Tablets of varying colors, possible chain smoking, long periods without rest or sleep. Loss of appetite, irritability, rapid speech, tremors, mood elevations	Disorientation, severe depression, paranoia, possible hallucinations, increase in blood pressure, fatigue	1-2 Days
Cocaine •Coke •Crack •Flake •White Candy •Free Base • Toot •Blow	Benzoylecgonine	Glassine envelopes, razor, small spoons, odorless, bitter white crystalline powder, granular rocks, short-lived euphoria changing to depression, irritability, nervous, tightness of muscles	Shallow breathing, fever, anxiety, tremors, possible death from convulsions or respiratory arrest	1-3 Days
Marijuana •Dope •Pot •Reefer •Joint •Grass •Blow	11-Nor-delta9-tetrahydrocannabinol-9-carboxytic acid THC	Plastic baggies, rolling paper, 'roach' clips, odor of burnt rope. Altered perception, dilated pupils, lack of concentration and coordination, craving for sweets, increased appetite, laughter	Psychological dependence, increased heart rate, impaired short-term memory, anxiety, lung damage, possible psychosis with chronic use	Occasional use: 1-3 days Chronic use: Up to 30-60 days
Opiates • Heroin (smack, horse, junk) •Morphine ('M', Miss Emma) •Codeine (school boy)	Codeine, Morphine	Glassine Envelopes, needles and syringes, caps or spoons, tourniquets, needle marks on arms. Insensitivity to pain, euphoria, sedation, nausea, vomiting, itchiness, water eyes, running nose)	Lethargy, weight loss, hepatitis, slow and shallow breathing, possible death	1-3 Days
Phencyclidine •Angel Dust •Devil Stick •PCP •Dummy Dust	Phencyclidine	Liquid Capsules. White or brown powder can be put on paper stamps, sugar cubes, cigarettes or joints. May be injected. Increased pulse and heart rate, blood pressure and temperature. Mood and perception alteration possible, paranoia, panic, anxiety, nausea, tremors, suicidal urge	Unpredictable behavior, flashbacks, possible emotional instability and psychosis, hallucination	Occasional use: 1-3 days Chronic use: Up to 30 days

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Drug Name	Substances Detected in Urine	What to Look For & Physical Symptoms	Dangers	Time Detectable in Urine
Barbiturates ●Downers ●Dolls ●Reds ●Tuinal ●Rainbows ●Yellows ●Blues ●Goof Balls	Secobarbital Phenobarbitol Pentobarbitol Butobarbital Amobarbital	Capsules of varying colors, longer periods of rest or sleep, dizziness, cold and clammy skin. Depression, decreased alertness and muscle control, intoxication and slurred speech, drowsiness	Rigidity and painful muscle contraction, emotional instability, possible overdoses and death, especially when mixed with alcohol	Pentobarbital and others: 1-3 Days Phenobarbital: 1-3 Weeks
Benzodiazepines Downers	Diazepam Chlordinzepoxide Oxazepam Nordiazepam Temazepam	Oral/Injection. Slurred speech, disorientation, drunken behavior without odor of alcohol	Shallow respiration, cold and clammy skin, dilated pupils, weak and rapid pulse, coma, possible death	1-7 Days
Methadone ● Done ●Dolophine ●Methadose	Methadone	Tablets. Liquid injection. Euphoria, drowsiness, respiratory depression, constricted pupils, nausea	Slow, shallow breathing, clammy skin, convulsions, coma, possible death	1-3 Days
Methaqualone ●Ludes ●Quaaludes	Methaqualone	Tablets. Slow heart rate and breathing, lowered blood pressure. Sleepiness, feeling of well being, loss of coordination, dizziness, impaired perception, confusion, later hangover	-	1-3 Days
MDMA ●Ecstasy ●Adam ●XTC ●MDA ●MDE ●X	Methylenedioxy - methamphetamine	Tablets. Euphoria, confusion, anxiety, sleeplessness, drug craving and paranoia. Used at all night RAVE dance parties	Muscle tension, teeth clenching, nausea, tremors, rapid eye movement, chills, possible death	1-2 Days
Propoxyphene	Propoxyphene	Tablets, capsules. Dizziness, drowsiness, headache, euphoria, dysphoria	Skin rash & other allergic reactions occur occasionally and may be accompanied by drug fever and mucosal lesion, stupor or coma; convulsions, respiratory depression	1-3 Days
Buprenorphine ●Buprenex ●Temgesic	Buprenorphine	Pinpoint pupils, extreme drowsiness, dizziness, blurred vision, slowed breathing	-	1-6 Days

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Drug Name	Substances Detected in Urine	What to Look For & Physical Symptoms	Dangers	Time Detectable in Urine
Alcohol	Ethanol	Dulled mental processes, Lack of coordination, Odor of alcohol on breath, Pupils will be constricted, Sleepy condition, Slowed reactions, Slurred speech, Anxiety or jumpiness, Shakiness or trembling, sweating, nausea and vomiting, insomnia, Irritability, headache	depression, anxiety, and suicide, Social problems, liver damage, Inflammation of the esophagus, Aggravation of peptic ulcers, Acute and chronic pancreatitis, Malabsorption of food nutrients that will lead to malnutrition, Heart attack, Hypertension, Stroke Immune system depression, Brain damage (dementia, blackouts, seizures, hallucinations, peripheral neuropathy).	Varies - up to 8 hours

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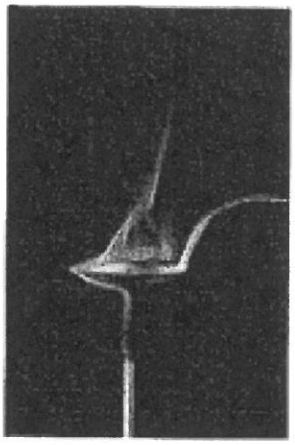

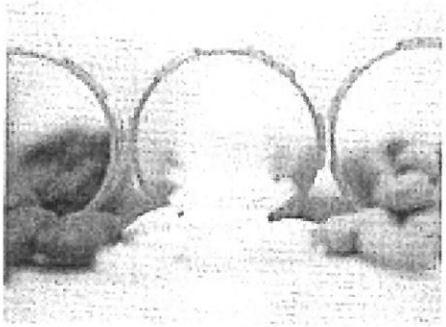

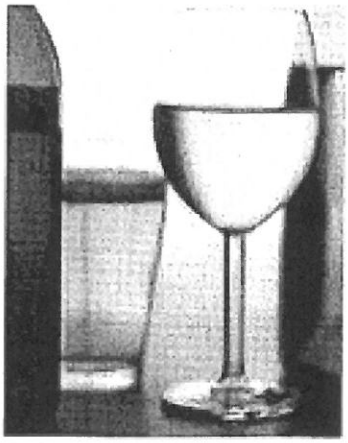

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PASSED AND APPROVED this 3rd day of May, 2017.

_____
Bill Bennett, Mayor

ATTEST:

_____
Kelly Kornegor, City Clerk