
	<p>Policies, Procedures and Standard Operating Guidelines Manual</p> <p>Alcohol and Drug Free Workplace</p>	<p>Page 1 of 7 Document ID: SOG #211 Issue No: 1 Issued 06/01/2013 Revised 01/19/2021 Approved by: District Fire Chief Board of Fire Commissioners</p>
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## 1. Purpose and Scope

- 1.1 The purpose of this policy is to outline the Mantua Township Fire District's Alcohol and Drug Free Workplace Policy. This policy applies to all regularly paid, volunteer, probationary, life, and junior members, including members of the Mantua Township Board of Fire Commissioners.

## 2. Procedures

- 2.1 The Mantua Township Fire District is committed to providing a healthy and safe environment for its members. The presence and use of alcohol and or illegal drugs on Mantua Township Fire District Property creates an impairment that subjects other members, property and the public to risks of injury and/or damages that would not exist in an alcohol and drug free workplace.
- 2.2 Members of the Mantua Township Fire District who violate these policies, which have been confirmed by the District Chief or personnel director of the Mantua Township Board of Fire Commissioners will be handled with Progressive Discipline set forth in Standard Operating Guideline 206 section seven (7).
  - 2.2.1 All senior members and Life Members are subject to progressive discipline set forth in Standard Operating Guideline 206.
  - 2.2.2 All members on their initial Six (6) month probationary period as well as Junior Members are subject to a more aggressive or altered form of discipline, which can be determined by the District Chief or his designee.
- 2.3 For the purposes of detecting alcohol and illegal drug use/abuse, a drug and/or Breath Alcohol Test will be requested at the expense of the Mantua Township Fire District. All tests shall be done in accordance with current applicable statutory or case laws to protect each member's constitutional rights. Refusal to submit to a drug test or alcohol test shall be grounds for immediate suspension and disciplinary action. The Mantua Township Fire District shall retain jurisdiction over all fire district personnel. Notwithstanding, the Mantua Township Fire District reserves the right where administrative procedures fail, to pursue all remedies where deemed appropriate. In meeting its responsibilities to its members, the Mantua Township Fire District has an Employee Assistance Program (EAP), which offers assistance to members seeking help for alcohol and/or drug abuse at the expense of the member. Once identified prior to testing, these problems must be addressed. In addition, a list of sources of information for members including counseling, treatment, and rehabilitation services are provided upon request.

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2.4 It shall be a violation of the Mantua Township Fire District's Alcohol and Drug Free Workplace Policy for any member to be in possession of alcohol and or illegal drugs on Mantua Township Fire District property, whenever the station is in service for response.

2.4.1 The possession of any alcoholic substance in or on Fire District property is prohibited unless under the following conditions:

2.4.1a The Mantua Township Board of Fire Commissioners approved to place the Fire District out of service and apparatus is unable to be responded by members of the Mantua Township Fire District and a District approved cover company is in place and it has been approved by the Mantua Township Board of Fire Commissioners. Examples of out of service times:

- 1.) Fire District Christmas Party held on Mantua Township Fire District property.
- 2.) A wake of a deceased member, where after service festivities are held on Fire District Property.
- 3.) Any fundraiser that supports members of the I.A.M.F. where the district was placed out of service and the event takes place on Mantua Township Fire District Property

2.4.1b The alcoholic substance is located inside of personal vehicles and in unopened original package


2.5 It shall be a violation of the Mantua Township Fire District's Alcohol and Drug Free Workplace Policy for any member to be arrested for manufacturing, distributing, or possessing a controlled dangerous substance as defined by applicable Federal and state laws.

2.5.1 Members arrested for manufacturing, distributing, or possessing a controlled dangerous substance will be immediately placed on administrative suspension pending conviction.

2.5.3 Members convicted of manufacturing, distributing, or possessing a controlled dangerous substance will be dismissed from the Mantua Township Fire District upon their conviction.

2.6 It is strongly suggested that no members attend any active incidents with a detectable odor of an alcoholic substance on their breath or allow for reasonable suspicion that they are under the influence of an intoxicating liquor and or drug.


2.6.1 Members who have been involved in any accident and are believed to be under the influence of an intoxicating liquor and or drug will be subject to testing. When tested results in a Breath Alcohol Content greater than zero, is a violation of this policy. Members who are subject to "callback,"

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on any stand-by status or, who may be driving, are further prohibited from driving government owned/leased vehicles with a BAC of 0.04% or above. Also, the use of illegal drugs or misuse of prescribed drugs while involved in District operations is a violation of this policy. Testing shall conform to Substance Abuse and Mental Health Services Administration (SAMHSA) guidelines. The District Chief shall be responsible for administering this policy and for establishing all necessary operational procedures.

### 3. Definitions

- 3.1 Accident - Any unintentional occurrence of events which leads to property damage, physical injury, or death.
- 3.2 Actual Physical Control - Term referring to driver's or operator's physical position and capabilities which permit someone to control, manipulate, readily set into motion or operation or utilize vehicles, machinery or equipment.
- 3.3 Alcohol - Any ingested substance-containing alcohol that can produce a mind or body function alteration.
- 3.4 Breath Alcohol Content - A scientific metric measurement of alcohol from a specific measured sample of breath expressed in percentage form.
- 3.5 Chain of Custody - The ability to identify each person/facility that has control of a sample at any given time from the time the sample is taken until a final disposition occurs.
- 3.6 Contract Employees - An independent party working for the Mantua Township Fire District under contract, either expressed or implied, written or oral, to provide services or products.
- 3.7 Critical Incident – A single vehicle accident with property damages of \$2500.00 or more; a work related accident or incident in which there is one (1) or more fatalities; one (1) or more injuries requiring emergency treatment; or property damage of \$5000.00 or more.
- 3.8 Drug Paraphernalia - Any item used for administering, packaging or transporting illegal drugs
- 3.9 Drug Test - Tests scientifically designed and medically approved that determine presence of drugs in the body.

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- 3.10 Drugs - Any chemical substance that adversely alters a mind or body function when entering the body.
- 3.11 Evidential Breath-Testing Devices (EBTS) – A specifically designed device that is approved by the National Highway Traffic Safety Administration (NHTSA) and is used by a certified breath alcohol technician following
- 3.12 Positive Drug Screen - The results of an approved medical or scientific test, properly reviewed and approved by a MRO, that reveal the presence of an illegal substance in the human body.
- 3.13 Prescription Drugs - Any chemical substance that must be prescribed by a duly licensed physician or health care worker authorized to dispense controlled substances, that when taken in the manner prescribed, by the persons whose name appears on the original prescription container is legal.
- 3.14 Reasonable Suspicion - Whether a reasonable and prudent individual, trained in the symptoms of drug or alcohol abuse would believe, based upon observation, that someone is under the influence of drugs or alcohol; or that based on observation or information that drugs and/or alcohol are being used or stored on property.
- 3.15 Substance(s) - As used in this context, a substance is any chemical or compound that will adversely alter the mind or body function when entering the body.
- 3.16 Testing Facilities - Any physical area designed to accurately administer scientific and medically approved tests.
- 3.17 Under the Influence - Physical or mental behavior that has been adversely altered or impaired by the introduction of drugs or alcohol into the body. The presence of any drug or substance in the body that will adversely alter the normal function of the mind or body is deemed to render a member under the influence. Any member, not an employee, who's BAC is 0.04% or above is considered under the influence. A member who operates a Commercial Vehicle or performs safety sensitive functions is considered to be "impaired" if any amount of a controlled substance or alcohol is present in the breath or urine, which results in a BAC of 0.04% or above.
- 3.18 Urinalysis/Urine Drug Screen - Urine samples are screened for specified drugs

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and/or their metabolites utilizing enzyme immunoassay (EIA) using defined cutoffs. Urine found to be positive by the EIA methodology will be confirmed by gas chromatography mass spectroscopy (GCMS). All urine drug screens and confirmations are to be conducted by a laboratory recognized and approved by the College of American Pathologists (CAP) or Substance Abuse and Mental Health Services Administration (hereafter referred to as SAMHSA) (Formerly: National Institute of Drug Abuse (NIDA)).

#### 4. Prohibited Behavior

4.1 The following behavior and activities are prohibited under this policy:

- 4.1.1 Use, possession, distribution, or sale of alcohol and/or illegal drugs, paraphernalia, or the unlawful manufacture, distribution, dispensation, possession or use of controlled substances on Mantua Township Fire District property or within Fire District.
- 4.1.2 Being impaired at any time during the workday (including breaks and lunch) as a result of using (on the job or off the job) alcohol, illegal drugs, misusing a legally prescribed drug, over-the-counter medication, or any other chemical substance is prohibited behavior.
- 4.1.3 Being impaired at any time in a department-owned vehicle as a result of using alcohol, an illegal drug, illegal use of a legally prescribed drug or over-the-counter medication, or any chemical substance is prohibited behavior. Pertaining to driving fire apparatus or other emergency equipment or performing safety sensitive functions:
  - 4.1.3a Employees: Operating or performing any safety sensitive function with a BAC of 0.00% or above, or while impaired at any level by any drug is prohibited behavior
  - 4.1.3b Volunteers: Operating or performing any safety sensitive function with a BAC of 0.04% or above is prohibitive behavior.
  - 4.1.3c Ingesting any alcoholic substance by a person responsible for or causing a critical incident within eight (8) hours after the incident is a prohibitive behavior.
  - 4.1.3d Use of any drugs within eight (8) hours after a Critical Incident without medical authorization or under medical treatment (includes prescription drugs.)
- 4.1.4 Refusing to provide urine and/or breath samples for testing when required for cause or for authorized random testing.
- 4.1.5 Switching or altering any submitted specimen for testing.
- 4.1.6 Testing positive for drugs or alcohol in violation of this document.
- 4.1.7 Refusing to complete a medical questionnaire or consent form, or knowingly providing false information on the questionnaire prior to authorized testing for illegal drugs or alcohol.




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- 4.1.8 Refusing to complete a laboratory chain of custody form after providing a laboratory specimen for testing.
- 4.1.9 Failure to report, using the proper Chain of Command, the use of any legal drug which may adversely alter the member's behavior, physical or mental ability.
- 4.1.10 Failure to report, using the proper Chain of Command, any summons, charges, issuance of citations, or convictions relating to incidents involving alcohol or drugs.

**5. Disciplinary Action**

- 5.1 All members of the district, prior to a "critical incident," "reasonable cause" and "random" testing, may acknowledge his/her substance abuse by contacting the fire district's EAP provider and entering a certified rehabilitation program without disciplinary action. Any treatment or rehabilitation are at the member's expense. The Fire District is not required under the rules (Department of Transportation 39 CFR 40) to provide rehabilitation, pay for treatment, or to re-instate the member in his/her safety sensitive position.
- 5.2 DRUGS: Use of, possession of, or positive urine drug screen and confirmation of the presence of an illegal drug, shall result in the following:
  - 5.2.1 1st Offense: All Career personnel will fall under the guidelines set forth in the Collective Bargaining Agreement between the IAFF Local 3592. All Casual Help and Volunteer personnel will immediately be suspended with no pay and charges may be brought seeking dismissal. If not dismissed, member shall enroll in an accredited rehabilitation program at their own expense. Upon Satisfactory completion of a program for drug abuse counseling and rehabilitation and/or other professional treatment, required or has been recommended and approved by the District Chief. Upon return to active duty the member will be tested as outlined in other portions of this policy.
  - 5.2.2 2nd Offense: All Career personnel will fall under the guidelines set forth in the Collective bargaining agreement between the IAFF 3592. All Casual Help and Volunteer personnel: A second positive urine drug screen and confirmation of the presence of an illegal drug shall result in immediate suspension and disciplinary charges pursuant to SOG 206 Section Seven (7) seeking dismissal from the Mantua Township Fire District.
- 5.3 ALCOHOL: All firefighter & emergency services personnel found: Under The Influence: With a BAC at or above 0.04% in operation of any District owned/or leased equipment or apparatus.
  - 5.3.1 Impairment: With a BAC of 0.04% or above 1st Offense: All Career

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personnel will fall under the guidelines set forth in the Collective Bargaining Agreement between the IAFF Local 3592. All Casual Help and Volunteer personnel will immediately be suspended with no pay and charges may be brought seeking dismissal. If not dismissed, member shall enroll in an accredited rehabilitation program at their own expense. Upon Satisfactory completion of a program for drug abuse counseling and rehabilitation and/or other professional treatment, required or has been recommended and approved by the District Chief. Upon return to active duty the member will be tested as outlined in other portions of this policy.

5.3.2 2nd Offense: All Career personnel will fall under the guidelines set forth in the Collective bargaining agreement between the IAFF 3592. All Casual Help and Volunteer personnel: A second test with a BAC at or above 0.04% shall result in immediate suspension and disciplinary charges pursuant to SOG 206 Section Seven (7) seeking dismissal from the Mantua Township Fire District.