

CULLMAN COUNTY SAFETY

POLICIES &



PROCEDURES HANDBOOK



Vehicle Fleet Safety Policy

Drug and Alcohol Abuse Policies & Procedures

Seat Belt Policy

Return to Work/Modified Duty Policy

**Usage of Wireless Communication Devices
while Driving**

CULLMAN COUNTY COMMISSION

VEHICLE FLEET SAFETY POLICY

Adopted December 22, 2011

The purpose of this Policy is to ensure the safety of those individuals who drive county vehicles. Accidents are costly to our county, but more importantly, they may result in injury to you or others. It is the driver's responsibility to operate the vehicle in a safe manner and to drive defensively to prevent injuries and property damage.

As such, the County endorses all applicable state motor vehicle regulations relating to driver responsibility. The County expects each driver to drive in a safe and courteous manner pursuant to the following safety rules. The attitude you take when behind the wheel is the single most important factor in driving safely.

SAFETY SENSITIVE POSITIONS:

All positions were reviewed for safety-sensitive duties, as defined in 49 CFR part 655, to determine the safety-sensitive positions. Additionally, any new positions created in the future will be reviewed for safety-sensitive duties. The following positions were determined to be safety-sensitive:

Operations Managers

Truck Drivers

Equipment Operators

Full-time Bus Drivers

Part-time Bus Drivers

Leadman/Mechanic

Mechanic

Park Personnel

Animal Control

Sanitation Collectors

Dispatchers

Deputy

Jailers

Other positions as deemed necessary by the County Commission

Driver Eligibility

- County vehicles are to be driven by authorized employees only, except in emergencies, or in case of repair testing by a mechanic. Spouses and other family members are not authorized to drive the County vehicle.
- Any employee who has a driver's license revoked or suspended shall immediately notify the Safety Director and discontinue operation of the company vehicle. Failure to do so may result in disciplinary action, including dismissal.
- All accidents, regardless of severity, must be reported to the police and the Safety Director. Failing to stop after an accident and/or failure to report an accident may result in disciplinary action, including dismissal.
- Drivers must immediately report all summonses received for moving violations during the operation of a County vehicle to the Safety Director.
- All CDL drivers must comply with all applicable D.O.T. regulations, including successful completion on medical, drug, and alcohol evaluations.
- Motor Vehicle Records will be ordered periodically to assess employees' driving records. An unfavorable record will result in a loss of the privilege of driving a County vehicle.

The following system will be used to determine eligibility to operate a County vehicle:

ALL TYPE 'A' VIOLATIONS (as defined in the next slide) WILL RESULT IN TERMINATION OF DRIVING PRIVILEGES FOR EMPLOYEES AND WILL DISQUALIFY ANY POTENTIAL DRIVER EMPLOYEES.

ANY DRIVERS (EMPLOYEES OR APPLICANTS) SHOWING ONE OF THE FOLLOWING WILL BE RESTRICTED FROM DRIVING COUNTY VEHICLES:

1. One (1) or more type 'A' Violations in the last 3 years
2. Three (3) or more accidents (regardless of fault) in the last 3 years.
3. Three (3) or more type 'B' violations in the last 3 years
4. Any combination of accidents and type 'B' violations which equal Four (4) or more in the last 3 years.

Type 'A' Violations

- Driving While Intoxicated
- Driving While Under the Influence of Drugs
- Negligent Homicide Arising out of the use of a Motor Vehicle (gross negligence)
- Operating During a period of Suspension or Revocation
- Using a Motor Vehicle for the commission of a Felony
- Aggravated Assault with a Motor Vehicle
- Operating a Motor Vehicle Without the Owners Authority (grand theft)
- Permitting an Unlicensed Person to Drive
- Reckless Driving
- Speed Contest (racing)
- Hit and Run (Bodily Injury or Property Damage)

Type 'B' Violations

- All Moving Violations not listed as type 'A' Violations

Driver Safety Rules

- The use of a county vehicle while under the influence of intoxicants and other drugs is forbidden and is sufficient cause for discipline, including dismissal.
- No driver shall operate a county vehicle when his/her ability to do so safely has been impaired by illness, fatigue, injury, or prescription medication.
- All drivers and passengers operating or riding in county vehicles must wear seat belts, even if air bags are available.
- No unauthorized personnel (e.g. Hitch-hikers) are allowed to ride in county vehicles.
- Drivers are responsible for the security of County vehicles assigned to them. The vehicle engine must be shut off, ignition keys removed, and vehicle doors locked whenever the vehicle is left unattended. If the vehicle is left with a parking attendant, only the ignition key is to be left.
- Head lights shall be used 1/2 hour after sunset and 1/2 hour before sunrise, or during inclement weather or at any time when a distance of 500 feet ahead of the vehicle cannot be seen clearly.
- All other state laws, local laws, or D.O.T. Motor Carrier Safety Regulations must be obeyed.

Defensive Driving Rules

1. Drivers are required to maintain a safe following distance at all times. To estimate your following distance, pick a stationary object ahead of you. As the vehicle in front of you passes the object, begin counting 1001, 1002, 1003, etc. until you reach the same object. This counts the number of seconds between you and the vehicle ahead of you.
 - i. Drivers of passenger vehicles should keep a two-second interval between their vehicle and the vehicle immediately ahead. During slippery road conditions, the following distance should be increased to at least four-seconds.
 - ii. Drivers of heavy trucks should keep a minimum of a three-second interval when not carrying cargo; and at least four-seconds when fully loaded. Following distance should also be increased when adverse conditions exist.
2. Drivers must yield the right of way at all traffic control signals and signs requiring them to do so. Drivers should also be prepared to yield for safety's sake at any time. Pedestrians and bicycles in the roadway always have the right of way.
3. Avoid driving in other driver's blind spots; attempt to maintain eye contact with the other driver, either directly or through mirrors.

Defensive Driving Rules (con't)

4. Drivers must honor posted speed limits. In adverse driving conditions, reduce speed to a safe operating speed that is consistent with the conditions of the road, weather, lighting, and volume of traffic. Tires can hydroplane on wet pavement .
5. Turn signals must be used to show where you are heading; while going into traffic and before every turn or lane change.
6. When passing or changing lanes, view the entire vehicle in your rear view mirror before pulling back into that lane.
7. Be alert of other vehicles, pedestrians, and bicyclists when approaching intersections. Never speed through an intersection on a caution light. Approach a stale green light with your foot poised over the brake to reduce your reaction time should it be necessary to stop. When the traffic light turns green, look both ways for oncoming traffic before proceeding.
8. When waiting to make left turns, keep your wheels facing straight ahead. If rear-ended, you will not be pushed into the lane of oncoming traffic.
9. When stopping behind another vehicle, leave enough space so you can see the rear wheels of the car in front. This allows room to go around the vehicle if necessary, and may prevent you from being pushed into the car in front of you if you are rear-ended.
10. Avoid backing where possible, but when necessary, keep the distance traveled to a minimum and be particularly careful.
 - i. Check behind your vehicle. Operators of heavy trucks should walk around their vehicle before backing and/or have someone guide you.
 - ii. Back to the driver's side. Do not back around a corner or into an area of no visibility.

What To Do In Case of An Accident

In an attempt to minimize the results of an accident, the driver must prevent further damages or injuries and obtain all pertinent information and report it accurately.

- Call for medical aid if necessary.
- Secure accident scene -- pull onto shoulder or side of road, redirect traffic, set up road flares/reflectors, etc.
- Call the police. All accidents, regardless of severity, must be reported to the police. If the driver cannot get to a phone, he should write a note giving location to a reliable appearing motorist and ask him to notify the police.
- Record names and addresses of driver, witnesses, and occupants of the other vehicles and any medical personnel who may arrive at the scene.
- Complete the form locating in the CNA Vehicle Accident Packet. Pertinent information to obtain includes:
 - license number of other drivers
 - insurance company names and policy numbers of other vehicles
 - make, year, model of other vehicles
 - date and time of accident
 - overall road and weather conditions
- Draw a diagram of the accident scene and note the street names and locations of traffic signs, signals, etc.
- Do NOT discuss the accident with anyone at the scene except the police.
- Do NOT accept any responsibility for the accident.
- DO NOT argue with anyone.
- Provide the other party with your name, address, phone number, driver's license number, and insurance information.
- Immediately report the accident to the **SAFETY DIRECTOR**. Provide a copy of the accident record and/or your written description of the accident to the **SAFETY DIRECTOR** ASAP.
- Cooperate fully with any follow-up from CNA Claims personnel.

Cullman County Commission

Auto Accident Report Form

Keep In Your Glove Box

When an accident occurs:

First Steps	Do Not Say	While Still At the Scene
<ul style="list-style-type: none"> Remain calm Get to a safe place Check for injuries Administer First Aid Call police/EMT 	<p>It's all my fault, (even if it is).</p> <p>My insurance will pay for everything.</p> <p>It's OK, I have full coverage.</p>	<ul style="list-style-type: none"> Get as much information as possible on this report. Take Pictures When the police come, cooperate and tell them what you know.

Accident Details

Day/Date Time AM/PM	
Weather/Road Conditions	
Location of Accident	
Accident Details	

Damage Descriptions

Your Vehicle	Other Vehicle
Towing Company Name & Phone	Towing Company Name & Phone

Other Driver/Vehicle Information

Owner's Name:	
Owner's Address:	
Owner's Phone:	
Vehicle Make:	
Vehicle Model & Year:	
Vehicle Color:	
License Plate Number	
Insurance Company:	
Agent Name & Phone:	
Other Drivers Name:	
Other Drivers Address:	
Other Drivers Phone:	

Passengers/Injuries:

Your Vehicle	Other Vehicle
# Passengers:	# Passengers:

Police Information

Officer Name:	
Department	
Phone:	
Badge Number:	
Other Info:	

Witness Information

Name:	Name:
Address:	Address:
Home Phone:	Home Phone:
Work Phone:	Work Phone:
Name:	Name:
Address:	Address:
Home Phone:	Home Phone:
Work Phone:	Work Phone:

Sketch The Accident Scene:

Vehicle Maintenance

- Proper vehicle maintenance is a basic element of any fleet safety program, not only to ensure a safe, road worthy vehicle, but also to avoid costly repair expenses and unexpected breakdowns.
- Proof of Registration and Daily Individualized Inspection is the responsibility of the assigned driver.
- Drivers of D.O.T. regulated vehicles are required to inspect their vehicle prior to usage, documenting and notifying the county mechanic of deficiencies found.
- In addition to inspections required by law for passenger vehicles, routine inspections of critical items, such as brakes, lights, tires, wipers, etc., must also be completed by drivers of passenger vehicles
- The vehicle should be cleaned (interior & exterior) regularly to help maintain its good appearance for you and the County. A clean vehicle makes a good impression on the citizens' of Cullman County.
- The vehicle manufacturer's maintenance schedule should be referenced and closely following regarding recommended maintenance intervals.

Discussion Point on Vehicle Maintenance

- 1. Discuss responsibilities for maintenance**
 - 1. Who is responsible for scheduling repairs?**
 - 2. Is prior approval required; if so, from whom?**
 - 3. Who is responsible for authorizing repairs & expenses quoted by repair facility?**
- 2. Discuss where to obtain service - both preventative maintenance and emergency repairs**
- 3. Discuss any specific preventative maintenance requirements**
 - 1. (i.e. oil changes every 3,000 miles, engine tune-up every 20,000 miles, winterizing requirements, windshield wipers replaced at least annually, etc.)**
- 4. Discuss type, care, and replacement of tires: specify type required, including snow tires, rotation & replacement schedule; and where to obtain new tires.**

*****Note any specific type/grade of gasoline required**

Vehicle Expenses & Record Keeping (optional)

- 1. Discuss any reporting or tracking of mileage required.**
- 2. Discuss reporting requirements and/or records the driver must maintain for maintenance & repairs performed on the vehicle assigned to them.**
- 3. Discuss expense reporting and reimbursement for gasoline & maintenance.**

CULLMAN COUNTY DRUG AND ALCOHOL ABUSE POLICIES AND PROCEDURES

Effective October 1, 2012
GENERAL STATEMENT OF POLICY

Cullman County is committed to providing a safe working environment for all employees while serving the citizens of Cullman County. Cullman County recognizes that any employee who improperly uses intoxicating substances, including drugs and alcohol, poses a serious threat to his or her self, his or her coworkers, and to the public in general. Even small quantities of narcotics, abused prescription or over-the-counter drugs or alcohol can impair judgment and reflexes. This impairment can have dire results, particularly for employees operating vehicles or potentially dangerous equipment.

It is therefore the policy of CULLMAN COUNTY that all employees or any person performing any kind of work for CULLMAN COUNTY must report to work completely free from alcohol, illegal or unauthorized drugs, or any other substances that may have a mind-altering or intoxicating effect or otherwise impair the employee's judgment, reaction times, or functioning.

Cullman County also prohibits all employees from using, possessing, manufacturing, distributing or making arrangements to distribute alcohol, illegal or unauthorized drugs, or any other intoxicating substances while at work or on or about any county property.

In order to avoid creating safety problems and violating this Policy, employees must inform their supervisor when they are legitimately taking any medication, including prescription drugs or over-the-counter medications, which may affect their ability to work. Employees whose job performance may be affected by such medications may be required to provide a fitness-for-duty certification before being allowed to resume their job duties.

Any employee who violates this Policy in any way shall be immediately removed from his or her job duties and shall be subject to discipline, up to and including termination.

No part of this Policy shall be construed to create a contract of continued employment or to confer upon any employee or applicant a property interest in his or her employment. **Cullman County** maintains the right to change this policy at any time within the guidelines of the Personnel Handbook. To the extent that any portion or provision of this Policy and Procedure conflicts with any applicable federal or state laws or regulation, such federal or state laws or regulations will be controlling.

Cullman County has designated the Safety Director as the Drug Program Coordinator. If you have any questions or concerns regarding this Policy or its application, please contact him at the Safety Department 256-737-7591.

DEFINITIONS

Accident

means any on the job accident. “Accident” includes vehicular accidents as well as any acts or omission causing an accident or injury to any person, or damage to any equipment or property belonging to the county.

Administrator

means the person or entity that implements drug testing on employees and applicants

Alcohol

means distilled or fermented beverage
containing ethyl alcohol, including, but not
limited to, beer and wine

Chain of Custody

means procedures implemented by the Employer for the identification and integrity of each urine specimen.

Employer requires [person responsible for policy implementation] to track the handling and storage of each urine specimen from the point of specimen collection to final disposition of the specimen.

These procedures include an appropriate drug testing chain of custody form to be used from time of collection to receipt by the testing laboratory.

Chain of custody forms shall document the date and purpose of each time a specimen is handled or transferred and shall identify every individual in the chain of custody.

Collector

means a person who instructs and assists tested employees and applicants for eligible positions at a collection site and who receives and makes an initial examination of the urine specimens.

The collector shall have successfully completed training to carry out this function or shall be a licensed medical professional or technician who shall be provided instructions for collection under this procedure and certifies completion as required herein.

In any case, where a collection is observed or monitored by non-medical personnel, the collector shall be a person of the same gender as the employee or applicant.

Collection Site

means a place designated by the County where employees present themselves for the purpose of providing a specimen of their urine to be analyzed for the presence of specified controlled substance and alcohol.

The site will possess necessary personnel, materials, equipment facilities, and supervision to provide for the collection, security, temporary storage, and the transportation or shipment of the samples to a laboratory.

Controlled Substance

means any substance defined or classified as a controlled substance according to Federal or State law. Title II of the Comprehensive Drug Abuse Prevention Act of 1970 (Controlled Substance Act), as it is amended from time to time, provides the basic standard.

Controlled substances include, but are not limited to, any and all forms of marijuana, stimulants or hallucinogens the sale, and purchase, transfer, use or possession of which are prohibited or restricted by law.

County

means Cullman County

DOT Employee

is an employee who is subject to the rules and regulations of the United States Department of Transportation regarding drug and alcohol testing because of the job duties that he or she performs.

Drug Program Coordinator

is the person designated by the County to ensure compliance with this Policy, including, but not limiting, ensuring that proper testing procedures are followed, ensuring that the lab(s) used by the Employer are properly certified, and ensuring that the Medical Review Officer is properly credentialed.

The name and contact information of the Drug Program Coordinator will be distributed to all employees.

Employer Premises

includes all property owned, leased, used or under the control of the County, including, but not limited to, the job site of any employee, structures, building offices, facilities, vehicles and equipment, or transportation to and from those locations while in the course and scope of County employment.

Employee

means any and all employees of the County.

Illegal/Unauthorized Drug

means any drug

- a) which is legally obtainable but has not been legally obtained or, even if legally obtained, is not being used in accordance with instructions given either by a physician or, if over-the counter, on the drug's label; or
- b) All illegal drugs, including, but not limited to, methamphetamine, marijuana, cocaine, etc.

Intoxicating Substance

means any substance, whether legal or illegal, that may have an intoxicating or mind-altering effect when ingested, snorted, smoked, or otherwise introduced into the body. Intoxicating substances include, but are not limited to, “bath salts,” nitrous oxide, glues, solvents, or herbs or other plants such as salvia.

Legal Drug

means prescribed drugs and over-the-counter drugs which have been legally obtained and are being used appropriately for their intended purpose in accordance with directions given either on the label or by the employee's treating physician.

Possession

means actual or constructive care, custody,
control or immediate access

Under the Influence

means being unable to perform work in a safe and productive manner; being in a physical or mental condition which creates a risk to the safety and well-being of the individual, other employees, the public and/or having any laboratory evidence of the presence of drugs, alcohol, prohibited or controlled substance in the employee's body.

Medical Review Officer

(MRO) means a licensed physician (medical doctor) responsible for receiving laboratory results generated by the county's drug testing program.

The MRO shall have knowledge of substance abuse disorders and have appropriate medical training to interpret and evaluate an individual's confirmed positive test result, together with his/her medical history and any other relevant biomedical information.

Random Selection Process

is the process used to ensure that each employee holding a safety-sensitive position has an equal chance of being drug-tested every time that random drug tests are conducted.

This process means that some employees may be tested multiple times in any given year.

Reasonable Cause

means that the County believes the actions or appearance or conduct of an employee on duty are indicative of the use of a controlled substance or alcohol.

Safety-Sensitive Employees

are those persons who are subject to random drug and alcohol testing.

These employees include, but are not limited to, persons who inspect, service, repair or maintain a vehicle or other heavy equipment, operate or load a vehicle or heavy equipment, use tools, including both power and hand tools, that have the capacity to injure any person, and those who are authorized to carry weapons of any kind.

An employee is engaged in a safety-sensitive function at all times from the time that an employer begins to work or is required to be in readiness to work until the time he or she is relieved from work and all responsibility for performing work.

PERSONS SUBJECT TO TESTING

The following employees have been designated by Cullman County to submit at any time to be tested for illegal drug abuse and alcohol abuse:

- All employees who hold positions or regularly perform duties that have been designated to be “safety sensitive” by Cullman County.
- Any employee who, during the course of said employee’s employment, is involved in an accident causing physical injury to any person or damage to any property.
- Any employee, regardless of whether he or she holds a safety sensitive position, whose conduct, behavior, or physical symptoms establishes reasonable cause to believe that said employee is under the influence of any, drug and/or alcohol while performing his or her job duties, or while being physically present on the premises of the County’s property during any activity sponsored, supervised, or in which the County participates.

TYPES OF TESTING

Pursuant to Cullman County's policy and procedures, employees will undergo testing as follows:

1) **PRE-EMPLOYMENT TESTING:** All employees applying for a position that has been designated as safety-sensitive will be required to submit to a pre-employment drug and alcohol test before a final offer of employment is extended. All pre-testing offers of employment to such persons are explicitly conditioned on the employee successfully taking and passing the drug and alcohol test. Pre-employment testing will also be done when an employee transfers from a non-safety-sensitive position to a safety sensitive position.

2) **RANDOM TESTING:** All employees holding safety-sensitive positions will be subject to testing on a random basis without advance notice to them.

3) REASONABLE CAUSE TESTING: Cullman County may schedule a drug/alcohol test when behavioral observations indicate to the employee's supervisor that any employee may be involved in illegal use of a controlled substance, use of alcohol, or abuse of legal drugs. Before testing, the employee's supervisor shall either

(a) contact another supervisor to observe the employee's behavior and to concur with the decision to test the employee, or

(b) review the employee's behavior with another supervisor to obtain concurrence with the decision to test the employee. The employee shall be promptly escorted to the collection site for testing by the employee's supervisor or designee.

- Employees arrested or convicted for the off-the-job use or possession of illegal or controlled substances shall undergo testing to assist the County in determining fitness for duty. If the employee tests positive, Employer shall discharge the employee for duty. If the employee tests positive, the County shall discharge the employee.

TYPES OF TESTING (con't)

4) **POST ACCIDENT TESTING:** All employees are required to report all injury or damage related accidents and submit to a post accident drug/alcohol test as set out in this policy. Each employee whose performance either contributed to the accident or cannot be completely discounted as a contributing factor to the accident shall be subject to testing. The employee's supervisor or his designee shall schedule the drug screening test immediately following an incident reportable or a reportable accident.

5) **RETURN-TO-DUTY TESTING:** If you have violated the prohibited drug and alcohol rules, you must take and pass a drug and alcohol test before being returned to work. Further, any person who has violated the prohibited drug and alcohol rules is required to take a drug and/or alcohol test before returning to safety-sensitive functions for *any* DOT regulated employer and is also subject to unannounced follow-up testing at least six (6) times in the first twelve (12) months following a return to active safety-sensitive service.

Any type of drug testing conducted by Cullman County will not be used to identify the existence of any disability.

In the event there is reasonable suspicion of a violation of this policy, Cullman County also reserves the right to search all property, cabinets, tool boxes and vehicles belonging to the County.

SAFETY-SENSITIVE EMPLOYEES

Employees are considered to be “safety-sensitive” when their job duties regularly require them to engage in activities that have the potential to cause physical injury to themselves or others or to cause serious property damage. Such activities include, but are not limited to:

- Maintaining or repairing motor vehicles or heavy equipment, including, but not limited to, bulldozers, tractors, and riding mowers
- Maintaining or repairing tools that have the capacity to seriously injure the user or another person, including, but not limiting to, chainsaws or weed-eaters
- Regularly operate motor vehicles or heavy equipment as part of his or her job duties, including equipment such as tractors or riding mowers for which licensure is not required by the State of Alabama
- Regularly operate tools that have the capacity to seriously injure the user or another person
- Loading and unloading vehicles or heavy equipment.
- Any activity related to the safe operation of a mass transit system, including dispatching vehicles.
- Carrying any weapon or object that could reasonably be used as a weapon, including, but not limited to, firearms, knives, machetes, blades, tazers, or batons.
- Answering emergency calls and/or directing the provision of emergency services.
- Providing emergency medical services.

Some safety-sensitive positions are specifically subject to regulation by the Department of Transportation (DOT). An accredited testing laboratory will maintain two different random testing pools, including one pool for persons specifically subject to regulation by DOT and one pool for all other safety-sensitive employees.

All employees are subject to drug and alcohol testing when there is reasonable cause to believe that they have violated this policy and after any accident involving physical injury or serious property damage. However, employees who have been designated as safety-sensitive are also subject to pre-employment testing and random testing. Random drug tests can be performed any time a safety-sensitive employee is on duty. An alcohol test can be performed when the safety-sensitive employee is performing a safety sensitive duty, just before, or just after the performance of a safety sensitive duty.

In addition, employees occupying positions deemed to be "safety sensitive" must promptly report any arrest charges or convictions for drug or alcohol related criminal offenses including both drug misdemeanors and felonies to his or her supervisor. *FAILURE TO REPORT SUCH ARRESTS, CHARGES, OR CONVICTIONS MAY BE GROUNDS FOR DISCIPLINE, UP TO AND INCLUDING IMMEDIATE TERMINATION.*

NECESSITY OF COMPLIANCE WITH TESTING REQUIREMENTS

All employees are subject to reasonable suspicion and post-accident testing as a condition of their employment. In addition, all safety-sensitive employees will be subject to pre-employment and random urine drug test and breath alcohol testing as a condition of their employment.

Any employee who refuses to take a drug and/or alcohol test to which he or she is properly subject shall be considered to have a verified positive test result. An employee who has a verified positive test result, including by refusal, shall be immediately removed from their duties and may be subject to immediate termination. In addition, any employee subject to DOT regulations will receive educational and rehabilitative information and a referral to a Substance Abuse Professional.

NECESSITY OF COMPLIANCE WITH TESTING REQUIREMENTS (con't)

Refusals can include a variety of behaviors, including as follows:

- Failure to appear for any test (except for pre-employment) within a reasonable time, as determined by the employer;
- Failure to remain at the testing site until the testing process is complete;
- Failure to provide a urine specimen for any required drug test;
- Failure to permit the observation or monitoring of the specimen collection when required to do so;
- Failure to provide a sufficient amount of urine when directed without an adequate medical explanation for this failure;
- Failure to take a second test when directed to do so by the County or collector;
- Failure to undergo a medical examination when directed to do so by the MRO or the County;
- Failure to cooperate with any part of the testing process (e.g., refuse to empty pockets when directed by the collector, behave in a confrontational way that disrupts the collection process, fail to wash hands after being directed to do so by the collector);
- Failure to follow the observer's instructions during an observed collection, including instructions to raise your clothing above the waist, lower clothing and underpants, and to turn around to permit the observer to determine if you have any type of prosthetic or other device that could be used to interfere with the collection process;
- Possess or wear a prosthetic or other device that could be used to interfere with the collection process; and
- Admit to the collector or MRO that you adulterated or substituted the specimen
- Failure to sign step 2 of the alcohol test form
- Leaving the scene of an accident without a valid reason before post accident tests have been completed. Failure to remain "readily available."

OFF-DUTY CONDUCT

Off-the-job use of drugs, alcohol, or any other prohibited substance which results in impaired work performance, including, but not limited to, absenteeism, tardiness, poor work product, or harm to the County's image, tasks, or government is prohibited. Employees should realize that these regulations prohibit all illicit drug use, on and off duty.

PRESCRIPTION DRUGS

The proper use of medication prescribed by a physician is not prohibited; however, Employer prohibits the misuse of prescribed and/or over-the-counter medications or other intoxicating substances and requires all employees using drugs at the direction of a physician to notify the County's Medical Review Officer (MRO), or their Drug Program Coordinator where these drugs may affect their job performance, such as by causing drowsiness. Employees may not perform safety-sensitive functions while using any controlled substances unless the employee's physician certifies that the substances will not adversely affect the employee's ability to perform his or her job.

PRE-EMPLOYMENT

All safety-sensitive applicants shall undergo urine drug testing prior to performing safety sensitive duties. This requirement also affects employees not in safety-sensitive positions who seek reclassification into a safety-sensitive position. Receipt by the County of a negative test result is required prior to performing safety sensitive duties in a covered position. A cancelled test result is not acceptable and must be retaken. If the applicant has a positive pre-employment drug test, he/she cannot be hired.

A negative result on a pre-employment test by a job applicant is valid for thirty days. If a current covered employee has not performed a safety sensitive duty for 90 days or longer, and has been removed from the random pool, the employee must submit to a new pre-employment test and receive a negative result before resuming safety-sensitive duties.

A MRO may report negative pre-employment test results for individuals who are unable to provide sufficient volume due to permanent disability, but has a medical evaluation that indicates no chemical evidence of illegal drug use.

All applicants for safety-sensitive positions will be notified in writing that they will be required to undergo pre-employment/reclassification drug testing prior to their employment and that they will be subject to drug and alcohol testing throughout the period of their employment. Applicants will acknowledge in writing their understanding of these provisions for their application and employment. Employer will retain on file the negative drug test results of all new hires.

In addition to undergoing pre-employment testing, applicants for a safety-sensitive position will be asked to sign forms for release of information from any previous employer. Failure to sign this form will result in not being hired.

REASONABLE CAUSE

All employees (whether or not safety-sensitive) will be required to submit to screening whenever a supervisor observes circumstances which provide reasonable cause to believe an employee has used a controlled substance or has otherwise violated the substance abuse rules. Examples of circumstances that may establish reasonable cause to warrant testing include supervisor observation, co-worker complaints, performance decline, attendance or behavior changes, involvement in workplace or vehicular accident, or other actions which indicate a possible error in judgment or negligence, or other violations of the drug or other County policy. Before testing the employee, another supervisor shall be contacted to observe the employee's behavior and to concur with the decision to test the employee, or the observing supervisor will review the employee's behavior with another supervisor either face to face or via telephone, to obtain concurrence with the decision to test the employee. The documentation of the employee's conduct shall be prepared and signed by the witnesses within twenty-four (24) hours of the observed behavior or before the results of the test are released, whichever is earlier.

Upon the reasonable suspicion determination being made, the County shall ensure that the employee is transported immediately to a collection site for the collection of a urine sample. The employee shall be counseled not to drive a vehicle and a supervisor shall provide transportation for the employee to the collection site.

All persons designated to make a determination that reasonable suspicion exists to require an employee to undergo testing under this provision shall receive at least sixty (60) minutes of training on both alcohol and controlled substance use. The training shall cover the physical, behavioral, speech and performance indicators of probable alcohol misuse and use of controlled substances.

Any employee refusing to submit to reasonable suspicion testing or any employee having a positive drug and/or alcohol test may be subject to discipline, up to and including termination

RANDOM TESTING

Employer will conduct random unannounced screening of all designated employees at unannounced times throughout the year. An accredited laboratory will maintain two computerized random testing pools including one DOT pool and one non-DOT pool. There will be no maximum number of samples that any one individual will be required to provide during the testing schedule in either pool.

Employees will be required to report to the designated collection site for testing as soon as possible but in no case later than two (2) hours following notification. Failure to report for drug/alcohol screening within two (2) hours of notification will be treated as a positive test result.

POST ACCIDENT TESTING

Employees are required to immediately notify the Drug Program Coordinator or his designee of any accident resulting in injury or damage to any county property or personnel.

Each employee whose performance either contributed to the accident or cannot be completely discounted as a contributing factor to an accident shall provide a urine specimen to be tested for the use of controlled substances and/or alcohol as soon as possible after the accident, but in no case later than eight (8) hours for alcohol testing and thirty-two (32) hours for drug testing.

Employees will be required to undergo urine drug and breath alcohol testing if they are involved in an accident that results in a fatality. A post-accident test will also be conducted in situations where there is no fatality but the following occurs:

- a) An individual requires immediate transport to a medical treatment facility as a result of collision or non-collision;
- b) Any time one or more vehicles incurs disabling damage that prevents any of the vehicles involved from leaving the scene of the occurrence in their usual manner in daylight after simple repairs; or
- c) With respect to any occurrence in which a vehicle including a mass transit vehicle (rail car, trolley car, trolley bus or vessel) is removed from operation.

POST ACCIDENT TESTING, (con't)

In a non-fatal accident as previously described, post-accident testing will be conducted unless the operator's performance (and any other covered employees whose performance could have contributed to the accident) can be completely discounted as a contributing factor to the accident as determined by employer using the best information at the time of the decision. In addition, drug screening and alcohol screening will be required for any driver receiving a citation for any moving violation resulting from an accident.

After notification of any accident, Cullman County will arrange for the employee to be taken as soon as practicable to the collection site designated by the County. The supervisor or designee will schedule the employee and assure that he/she is tested the same day as the reportable accident, if possible.

POST ACCIDENT TESTING (CON'T)

If an employee is injured, unconscious, or otherwise unable to evidence consent to the drug test, all reasonable steps must be taken to obtain a urine sample. A supervisor may elect not to test under these circumstances, but such a decision must be made based upon information received as a result of an investigation of the accident. *Nothing in this document should be construed to require the delay of necessary medical attention for injured people following an accident, or prohibiting a driver from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident, or to obtain necessary emergency medical care.*

Any employee subject to post-accident testing must refrain from consuming alcohol or taking any controlled substance for eight hours following an accident, or until he/she submits to an alcohol test, whichever comes first. As stated above, the employee will be tested not to exceed eight (8) hours following an accident for alcohol and not to exceed thirty-two (32) hours post-accident for drug testing. If there is a delay of greater than 2 (two) hours for an alcohol test, a reason must be given in writing, retained in a file for possible later referral, and the employer must still attempt to administer an alcohol test for up to 8 (eight) hours following the accident or until the employee undergoes a post-accident alcohol test.

An employee who is subject to post-accident testing must remain available and follow these guidelines, or the County may consider the employee to have refused to submit to testing.

The Commission will discipline or terminate any employee who fails to report an accident or submit to substance screening where required by law or this policy. The Drug Program Coordinator shall insure that an Accident Report is filed in compliance with Commission Policy and applicable laws and regulations.

GENERAL TESTING PROCEDURES

Cullman County will contract with a properly certified testing laboratory that will ensure that all proper testing procedures are followed in accordance with this Policy and all applicable laws. The following is a list of the general procedures that will be followed for all drug and alcohol testing, regardless of the reason why the test is being performed:

- All testing procedures, including collections, will be performed by certified technicians and/or laboratories.
- Upon arrival at the collection site, the employee must provide proof of identification. The employee will be required to read and sign the controlled substance testing consent form provided by the County. The signature shall be witnessed by the collector. Acceptable proof of identification shall be a current driver's license, with photo, other form of picture identification, or identification by a County representative.
- The Employee shall complete a drug testing custody and control form.
- The Drug Program Coordinator shall notify the employee directly of the results of any positive drug test in order to give the employee an opportunity to challenge the findings. The County may, but shall not be required to, re-analyze the employee's original sample to clarify the findings.
- Controlled substance testing must follow split sample procedures. Under this provision, an employee whose urine sample has tested positive for a controlled substance has the option of having the other portion of the split sample tested at another laboratory. The employee must notify the County within 72 hours after notification of a positive sample that he/she desires a retest under this provision.
- If a split sample test produces a negative result or if they second portion is not available, the test is considered negative and no sanctions will be imposed.
- All persons who receive information by the County regarding drug tests shall maintain this information on a confidential basis.

Both Cullman County and the laboratory shall rely, when practical, on the guidance of the Federal Department of Transportation, Procedures for Transportation Workplace Drug Testing Programs.

SUBSTANCES TESTED FOR

DOT employees will regularly be tested for:

- 1) Marijuana (THC Metabolite)
- 2) Cocaine
- 3) Amphetamines
- 4) Opiates (including heroin)
- 5) Phenyefidine (PCP)
- 6) Alcohol

Non DOT-employees may be tested for other substances without advance notice. DOT employees may also be separately tested for other substances without advance notice by the County for safety purposes. Such tests will be coordinated with the Drug Program Coordinator.

COLLECTION SITES

Cullman County will designate a collection site in a reasonably accessible location.

COLLECTION PROCEDURES

Drug testing is conducted by analyzing an employee's urine specimen. The analysis is performed at laboratories certified and monitored by the Department of Health and Human Services (DHHS). The employee provides a urine specimen in a location that affords privacy. The collector seals and labels the specimen, completes a chain of custody document and prepares the specimen and accompanying paper work for shipment to a drug-testing laboratory. The specimen collection procedures and chain of custody ensures the specimen's security, proper identification, and integrity is not compromised.

Split specimen procedures:

1. Each urine specimen is subdivided into two bottles labeled as a "primary" and a "split" specimen.
2. Both bottles are sent to a laboratory.
3. Only "primary" specimen is opened and used for analysis.
4. "Split" specimen remains sealed and stored at the laboratory.
5. If the "primary" specimen confirms the presence of illegal, controlled substances, the employee has 72 hours to request in writing the "split" specimen be sent to another DHHS certified laboratory for analysis.
6. If it is positive for one or more of the drugs then a continuation test is performed for each drug using state-of-the-art gas chromatography/mass spectrometry ("GC/MS") analysis.
7. GC/M confirmation insures that over-the-counter medications or prescriptions are not reported as positive results.

DIRECT OBSERVATION

Observed collections are required in a number of situations for DOT employees. Any employee subject to a drug test may also be required to undergo observed collection. The purpose of direct observation is to guard against employee attempts to mask the testing process. Observed collections are required in the following circumstances:

1. **All return-to-duty tests**
2. **All follow-up tests**
3. **Anytime the employee is directed to provide another specimen because the temperature on the original specimen was out of the accepted temperature range of 90 – 100 degrees Fahrenheit**
4. **Anytime the employee is directed to provide another specimen because the original specimen appears to have been tampered with**
5. **Anytime a collector observes materials brought to the collection site or the employee's conduct clearly indicates an attempt to tamper with a specimen**
6. **Anytime the employee is directed to provide another specimen because the laboratory reported to the MRO that the original specimen was invalid and the MRO determines that there is not an adequate medical explanation for the result'**
7. **Anytime the employee is directed to provide another specimen because the MRO determined that the original specimen was positive, adulterated or substituted, but had to be cancelled because the test of the split specimen could not be performed.**

The employee who is being observed will be required to raise his or her shirt, blouse, or dress/skirt as appropriate, above the waist, lower clothing and underpants, and turn around completely at the direction of the observer in order to show that he or she is not wearing any prosthetic device.

Where necessary, an Employer representative or medical personnel may obtain a specimen outside of a designated collection site (such as the emergency room following an accident investigation, etc.).

ALCOHOL TESTING PROCEDURES

All employees are prohibited from possessing, drinking, or being impaired or intoxicated by alcohol while at work or on duty. ***In addition, safety-sensitive employees are prohibited from consuming any alcohol four hours prior to going on duty.*** A BAC of 0.04 will be accepted as presumptive evidence of intoxication.

Any employee may be subject to alcohol testing either for reasonable suspicion or post-accident. Safety sensitive employees are also subject to random alcohol testing. Random testing will be conducted just before, during, or just after the employee has performed a safety-sensitive function. Safety sensitive employees with a BAC of 0.02 will be immediately removed from the safety sensitive duties for a period of at least twenty-four (24) hours.

All alcohol tests will be conducted using evidentiary breath testing devices approved by the National Highway Traffic Safety Administration by a properly trained person. Any result showing greater than a 0.02 BAC will be repeated.

EVALUATIONS AND RETURN OF RESULTS

The MRO will be responsible for reviewing the quantified test results of employees and confirming that the individuals testing positive have used drugs in violation of policy. Prior to making a final decision, the MRO shall give the individuals testing positive an opportunity to discuss the result either face to face or over the telephone. If the test result is negative dilute, the MRO may decide that the employee must take another test. If this second test results in a negative dilute result, the test will ordinarily be considered to be a negative and no additional testing will be required unless the MRO so directs.

The MRO shall then promptly tell the Drug Program Coordinator which employees or applicants test positive.

REQUEST FOR RETEST

An employee may submit a written request for a retest of the original specimen within 72 hours of receipt of the final test results. Requests must be submitted in writing to the Drug Program Coordinator. The employee may be required to pay the associated costs of retest in advance but will be reimbursed if the result of the retest is negative.

RELEASE OF TEST RESULTS

Except where otherwise specifically required by law, employee drug testing results and records are maintained under strict confidentiality by the employer, the drug testing laboratory, and the medical review officer. They cannot be released to others without the written consent of the employee. Exceptions to this confidentiality are limited to DOT agencies when license or certification actions are required or to the decision-maker in arbitration, litigation, or administrative proceedings arising from a positive drug test.

However, all employees will be required to execute a consent/release form permitting the County to release test results and related information to the Department of Industrial Relations or other relevant government agency. Applicants for safety-sensitive positions will also be required to execute a consent/release form permitting the County to review records of previous drug and alcohol testing information.

RETENTION OF RECORDS

All records will be maintained so as to preserve confidentiality and prevent unauthorized persons from accessing, releasing, or tampering with records. The following records will be maintained:

(1) Records related to the collection process, including:

- i. Collection logbooks, if used.
- ii. Documents relating to the random selection process.
- iii. Documents generated in connection with decisions to administer reasonable suspicion drug or alcohol tests.
- iv. Documents generated in connection with decisions on post-accident drug and alcohol testing.
- v. MRO documents verifying existence of a medical explanation of the inability an employee to provide adequate urine or breathe sample.

(2) Records related to test results:

- i. The employer's copy of the custody and control form.
- ii. Documents related to the refusal of any employee to submit to a test
- iii. Documents presented by an employee to dispute the result of a test

(3) Records related to referral and return to duty and follow-up testing, including records of any DOT employee's entry into and completion of the treatment program recommended by the substance abuse professional.

RETENTION OF RECORDS, (con't)

(4) Records related to employee training:

- i. Training materials on drug use awareness and alcohol misuse, including a copy of the employer's policy on prohibited drug use and alcohol misuse.
- ii. Names of employees attending training on prohibited drug use and alcohol misuse and the dates and times of such training.
- iii. Documentation of training provided to supervisors for the purpose of qualifying the supervisors to make a determination concerning the need for drug and alcohol testing based on reasonable suspicion.
- iv. Certification that any training conducted under this part complies with the requirements for such training.

(5) Copies of any annual MIS reports submitted to FTA.

The following records will be maintained for no less than five years: Records of verified positive drug or alcohol test results, documentation of refusals to take required drug or alcohol tests, referrals to the substance abuse professional, and copies of annual MIS reports submitted to FTA.

The following records will be maintained for no less than two years: records related to the collection process and employee training.

The following records will be maintained for no less than one year: records of negative drug or alcohol test results, with the exception that all post-accident testing Records will be maintained for at least three (3) years after an accident.

EMPLOYEE EDUCATION AND TRAINING

The County will provide written information in drug/alcohol use and treatment resources to safety-sensitive employees. The County will provide one hour of training for employees on the dangers of controlled substance use annually. All supervisors of safety-sensitive employees must also attend one hour of training on the signs and symptoms of drug abuse. The training is necessary to assist supervisors in making appropriate determinations for reasonable suspicion testing.

EMPLOYMENT ASSESSMENT

Any safety-sensitive employee or applicant who tests positive for the presence of illegal drugs and/or alcohol above the minimum thresholds set forth in 49 CFR Part 40, as amended, or has refused to submit to a drug or alcohol test (except in the case of an applicant) will be referred to a Substance Abuse Professional (SAP). A SAP can be a licensed physician (Medical Doctor or Doctor of Osteopathy), or a licensed or certified psychologist, social worker, or employee assistance professional with knowledge of and clinical experience in the diagnosis and treatment of drug and alcohol related disorders or an addiction counselor certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission. The SAP will follow the protocols and meet the requirements defined in 49CFR part 40. All employees and applicants will be given contact information for a USDOT qualified SAP if they test positive.

EMPLOYEE ASSISTANCE PROGRAMS (EAP)

The County's EAP shall include:

- a) Education and training for employees regarding drugs and alcohol.
- b) Education and training for Supervisors regarding drugs and alcohol, including:
 - 1) Effects and consequences of substance use on personal health, safety, and work.
 - 2) Manifestations and behavioral causes that may indicate substance use.
 - 3) Documentation of training provided.
- c) A written statement on file and available at the Commission office outlining the EAP.

The Drug Program Coordinator or his designee should be contacted for further guidance.

SYSTEM CONTACTS

Any questions regarding this policy or any other aspect of the drug free and alcohol-free transit program should contact the following:

Designated Employer Representative/Program Manager:

Safety Director
safety@co.cullman.al.us
Telephone Number: 256-737-7591

SAMHSA Certified Laboratory

Medtox Laboratories

Medical Review Officer:

Dr James V. Thomas
1908 Cherokee Ave SW; Cullman, AL 35055

Substance Abuse Professionals

Primary SAP: Renee Smith
Agency: Blair Consulting
180 Wilderness Lane
Alabaster, AL 35077
205-755-7101

Backup SAP: Jewel Euto
Agency:
1306 Somerville Rd SE
Decatur, AL 35601
256-309-7558

CULLMAN COUNTY Seat Belt Policy

Adopted October 1, 2012

CULLMAN COUNTY recognizes that seat belts are extremely effective in preventing injuries and fatalities in motor vehicle accidents.

Wearing your seat belt can reduce your risk of dying in a motor vehicle accident. We care about our employees and want to make sure that no one is injured or killed in a tragedy that could have been prevented by the simple use of a seat belt.

Therefore our county policy is that all employees must wear seat belts when operating any vehicle or equipment on county business.

Employees who violate this policy will be subject to disciplinary action, up to and including termination.

CULLMAN COUNTY Return to Work/Modified Duty Policy

Adopted October 1, 2012

An employee who is on leave as a result of a work-related injury or illness may be released to work on modified or light duty subject to conditions specified by his or her physician. CULLMAN COUNTY will make reasonable efforts to provide the employee with a position meeting the requirements imposed by the physician for the duration of a reasonable recovery period. Such a position is temporary and does not constitute a contract of employment or property interest in the modified or light duty position. An employee working in such a position is still subject to the same policies and procedures applicable to all employees, including the Drug and Alcohol Policy. Any employee who is offered a physician-approved, modified duty job will be required to accept the offer; otherwise, such a refusal will be considered job abandonment.

When the injured employee reaches Maximum Medical Improvement, CULLMAN COUNTY will make reasonable efforts to place the employee in a permanent position with as similar terms and conditions of employment as possible as the employee's original position.

CULLMAN COUNTY Usage of Wireless Communication Devices While Driving

Adopted October 1, 2012

Employees are prohibited from using any cell phone, PDA or any wireless communication system (whether or not it is owned by the county) while:

- (1) operating any county owned vehicle, including off-road heavy equipment, at any time, to include both working and non-working hours.
- (2) operating any vehicle, including off-road heavy equipment, not owned by county while in the performance of his/her duties.
- (3) operating any vehicle, including off-road heavy equipment, while engaging in any business related to county operations.

Employees who must utilize cell phones, PDA or any other wireless communication system shall do so only after safely exiting traffic and parking the vehicle safely off the road. The vehicle shall remain parked off the roadway until all communication has been completed.

If the Appointing Authority determines the use of such communication and devices is a vital necessity of performing one's job duties, the employees may be authorized to utilize the devices with a hands-free option.

In no circumstances may a county employee type, text or read any cell phone, PDA or any wireless communication system while operating any vehicle as described herein.

Employees who violate this policy and are involved in accidents or charged with traffic violations caused by or resulting from the use of a cell phone, PDA or wireless communication system while driving, are solely responsible for liabilities that result from such actions and are acting outside the line and scope of their duties.

In addition to compliance with this policy, all employees are expected to follow applicable state, federal and local laws or regulations regarding the use of cell phones and PDA's at all times.

Violations will be subject to the same disciplinary action as prescribed in the Cullman County Commission Policy and Procedure Handbook.