



## DRUG-FREE WORKPLACE POLICY

### INTRODUCTION

This is your official notification that Bay Laurel Center Community Development District's ("BLCCDD" or "Organization") complies with Florida's Drug-Free Workplace program requirements as authorized by Florida Statutes §§ 440.101-440.102. BLCCDD employees are absolutely prohibited from unlawfully manufacturing, distributing, dispensing, possessing or using controlled substances in the workplace. It is a condition of employment with BLCCDD to refrain from taking drugs on or off the job and to abide by the guidelines of this Policy and BLCCDD's Drug-Free Workplace program.

### Drug Tests:

The following is a list of drugs BLCCDD may test for:

<u>CHEMICAL NAME</u>	<u>BRAND NAME</u>	<u>COMMON NAME</u>
Alcohol (ETOH)		Liquor, Booze, Wine, Beer, Distilled Spirits
Amphetamines	Obetrol, Biphedamine, Desoxyn, Dexedrine, Didrex, Ionamine, Fastin	Uppers, Speed, Bennies, Crystal, Black Beauties
Barbiturates	Phenobarbital, Tuinal, Amytal, Nembutal, Seconal, Lotusate, Fiorinal, Fioricet, Esgic, Butisol, Mebaral, Butabarbital, Butalbital, Phrenilin, Triad	Barbs, Goofballs, Reds, Rainbows, Downers, Yellows, Blues
Benzodiazepines	Ativan, Azene, Clonopin, Dalmane, Diazepam, Librium, Xanax, Serax, Tranxene, Valium, Verstran, Halcion, Paxipam, Restoril	Downers
Cannabinoids (THC) (Tetrahydrocannabinol)	Marinol (Dronabinol, THC)	Pot, Marijuana, Weed, Grass, Joint, Hashish, Maryjane
Cocaine (Benzoyllecgonine)	Cocaine HCl topical solution (Roxanne)	Freebase, Crack, Blow, Snow, Nose Candy, Coke
Opiates	Paregoric, Parepectolin, Donnagel PG, Morphine, Tylenol with Codeine, Empirin with Codeine, APAP with Codeine, Aspirin with Codeine, Robitussin AC, Guiatuss AC, Novahistine DH, Novahistine Expectorant, Dilaudid, M-S Contin and Roxanol (morphine sulfate), Percodan, Vicodin	Downers, Smack, Heroine
Methadone	Dolophine, Mathadose	Junk, Jungle Juice
Methaqualone	Quaaludes	Ludes
Phencyclidine (PCP)		PCP, Angel Dust, THC
Propoxyphene	Darvocet, Dolene, Darvon N	

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In accordance with, Florida Statutes § 440.102(4), the Organization shall conduct the following types of drug tests:

- 1) **Job Applicant Testing:** All job applicants will submit to pre-employment drug testing.
- 2) **Reasonable-Suspicion Drug Testing:** All employees will submit to reasonable-suspicion drug testing. Reasonable-suspicion drug testing is based on a belief that an employee is using or has used drugs in violation of this Policy. Such a belief must be drawn from specific objective and articulable facts and reasonable inferences drawn from those facts in light of experience. Among other things, such facts and inferences may be based upon:
  - A. Observable phenomena while at work, such as direct observation of drug use or of the physical symptoms or manifestations of being under the influence of a drug;
  - B. Abnormal conduct or erratic behavior while at work or a significant deterioration in work performance;
  - C. A report of drug use, provided by a reliable and credible source;
  - D. Evidence that an individual has tampered with a drug test during his employment with the Organization;
  - E. Information that an employee has caused, contributed to, or been involved in an accident while at work; or,
  - F. Evidence that an employee has used, possessed, sold, solicited, or transferred drugs while working or while on the Organization's premises or while operating the Organization's vehicle, machinery, or equipment.
- 3) **Routine Fitness-For-Duty Testing:** Employees will submit to drug testing if such testing is conducted as part of routinely scheduled fitness-for-duty medical examinations in accordance with the Organization's established policy or routinely scheduled for all members of an employment classification or group.
- 4) **Follow-up Drug Testing:** Employees, who in the course of their employment with the Organization, enter an employee assistance program for drug-related problems or a drug rehabilitation program, will submit to follow-up drug tests, unless they voluntarily enter the program. When an employee voluntarily enters a program, this Organization has the option to not require follow-up drug testing. If follow-up drug testing is required, it must be conducted at least once a year for a two (2)-year period after completion of the program. Advance notice of a follow-up drug testing date will not be given to the employee to be tested.

Additional testing may be conducted as required by applicable state and federal laws, rules or regulations or as deemed necessary by the Organization.

**Consequences of a Positive Confirmed Drug Screen:** This Organization will not hire any applicant who tests positive on a drug test. This Organization separates all employees who test positive on their drug tests. Any employee who is separated on the basis of a positive drug test will be ineligible to collect unemployment

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compensation. In addition, if the employee is asked to submit to a drug test as a result of the employee's involvement in a work-related accident and tests positive on a drug or alcohol test, the employee will be separated, ineligible to collect unemployment and may be denied related workers' compensation benefits.

**Consequences of Refusal to Allow Testing:** An applicant who refuses to submit to a drug test will not be hired. Employees who refuse to submit to reasonable-suspicion drug testing will lose their jobs and their unemployment benefits. In addition, if an employee is requested to submit a drug test as a result of the employee's involvement in a work-related accident and refuses to submit to a test, the employee will lose his job, unemployment benefits and may be denied related workers' compensation benefits.

**Consequences of a Diluted Test Result:** If an employee/job applicant's drug test result is diluted, the employee/job applicant must submit to retesting. If an employee refuses to submit to a retest, the employee will be separated; if a job applicant refuses to submit to a retest, the job applicant will not be hired.

**Employee Suspension:** The Organization may suspend employees without pay pending the results of a drug test or related investigation.

**Confidentiality:** Employers and their agents and laboratories must keep drug test results and other related information confidential. If information is released, it shall be done solely under a written consent form voluntarily signed by the person tested unless a release is compelled by a hearing officer or a court or unless it is deemed appropriate by a professional or occupational licensing board in a related disciplinary proceeding. The consent form must meet the criteria set by the State of Florida and in accordance with Florida Statutes § 440.102(8).

**Reporting Use of Prescription or Non-Prescription Medications:** An employee/job applicant can confidentially report the use of all prescription or non-prescription medications to a Medical Review Officer ("MRO"), both before and after being tested, as presence of those medications in the body may affect the outcome of the test. A list of the most common medications by brand name, common name and by chemical name, which may alter or affect a drug test, accompanies this Policy.

**Collection of Specimens:** All specimens collected and tested for drugs shall be collected with the privacy interests of the individual in mind and shall be documented according to those procedures prescribed in Florida Statutes § 440.102(5). Moreover, collection and testing will be accomplished by a licensed clinical laboratory and according to those procedures provided by Florida Statutes § 440.102(9). In accordance with Florida Statutes § 440.102(5)(g), the laboratory is required to preserve the specimen that produces a positive confirmed test result for a period of at least 210 days after the results of the positive confirmation are mailed or otherwise delivered to the MRO. Within 180 days after written notification of a positive test result, the employee or job applicant may have a portion of the specimen retested at the employee or job applicant's expense at another laboratory. The second laboratory test must be of equal or greater sensitivity as the first laboratory test, licensed and approved by the agency for Health Care Administration. The first laboratory shall be responsible for the transfer of a portion of the specimen to be retested to the second laboratory and for the integrity of the chain of custody doing the transfer.

**Employee Assistance Programs:** A list of Employee Assistance Programs and Drug and Alcohol Rehabilitation Programs available locally accompanies this Policy. The cost of these programs is the responsibility of the employee. Public employees in safety-sensitive or special-risk positions must note the following:



- a) If an employee, who is employed by a public employer in a safety-sensitive position, enters an employee assistance program or drug rehabilitation program, the employer must assign the employee a position other than a safety-sensitive position or, if such position is not available, place the employee on leave while the employee is participating in the program. However, the employee shall be permitted to use any accumulated leave credits before leave may be ordered without pay.
- b) An employee, who is employed by a public employer in a special-risk position, may be discharged or disciplined by a public employer for the first positive confirmed test result if the drug confirmed is an illicit drug under Section 893.03, Fla. Stat. A special-risk employee, who is participating in an employee assistance program or drug rehabilitation program, may not be allowed to continue to work in any special-risk or safety-sensitive position of the public employer, but may be assigned to a position other than a safety-sensitive position or placed on leave while the employee is participating in the program. However, the employee shall be permitted to use any accumulated annual leave credits before leave may be ordered without pay.

**Explanation for Employee/Job Applicant:** Within five (5) working days after receipt of notice of a positive confirmed test result, the employee/job applicant may submit information to the MRO and the employer explaining or contesting the test results and stating why the test results do not constitute a violation of the employer's policy. If this explanation is unsatisfactory, the Organization must, within fifteen (15) days of receipt of the explanation or challenge, provide the employee/job applicant with a written explanation as to why the employee's explanation is unsatisfactory along with the report of the positive confirmed test results. This documentation shall be kept confidential by the Organization and shall be retained by them for at least a year. If the employee wishes to challenge a confirmed drug test result that was requested as a result of a workplace accident, the employee may file an administrative challenge by filing a claim for benefits with a Judge of Compensation Claims. If no workplace accident occurred, the confirmed positive test result of the employee/job applicant may be challenged in a court of competent jurisdiction.

**Administrative or Civil Action:** An employee/job applicant must notify the drug testing laboratory of any administrative or civil action brought pursuant to Florida Statutes § 440.102. The laboratory will maintain the sample until the case or administrative appeal is settled.

**Right to Consult with Laboratory:** If any initial drug test of an employee/job applicant is confirmed as positive, the Organization's MRO shall provide technical assistance for the purpose of interpreting the test results to determine whether the result could have been caused by prescription and non-prescription medication taken by the employee/job applicant.

**Policy Guidelines:** The contents of this Policy may be changed and updated at any time. This Policy is not intended to create a contract for term between the Organization and any employee. Nothing in this Policy binds this Organization to a specific or definite period of employment or to any specific policies, procedures, actions, rules, or terms and conditions of employment.



## COMMON MEDICATIONS WHICH COULD AFFECT A DRUG TEST

The following is a list of the most common medications by brand name, common name and chemical name. These over the counter and prescription drugs could alter or affect drug test results:<sup>1</sup>

Alcohol:	All liquid medications, containing ethyl alcohol (ethanol). Please read the label for alcohol content. As an example, Vick's Nyquil is 25% (50 proof) ethyl alcohol, Comtrex is 20% (40 proof), Contact Severe Cold Formula Night Strength is 25% (50 proof) and Listerine is 26.9% (54 proof).
Amphetamines:	Obetrol, Biphphetamine, Desoxyn, Dexedrine, Didrex, Ionamine, Fastin.
Cannabinoids:	Marinol (Dronabinol, THC)
Cocaine:	Cocaine HCl topical solution (Roxanne).
Phencyclidine:	Not legal by prescription.
Methaqualone:	Not legal by prescription.
Opiates:	Paregoric, Parepectolin, Donnagel PG, Morphine, Tylenol with Codeine, Empirin with Codeine, APAP with Codeine, Aspirin with Codeine, Robitussin AC, Guaiatuss AC, Novahistine DH, Novahistine Expectorant Dilaudid (Hydromorphone), M-S Contin and Roxanol (morphine sulfate), Percodan, Vicodin, Tussi-organidin.
Barbiturates:	Phenobarbital, Tuinal, Amytal, Nembutal, Seconal, Lotusate, Fiorinal, Fioricet, Esgic, Butisol, Mebaral, Butabarbital, Butalbital, Phrenilin, Triad.
Benzodiazepines:	Ativan, Azene, Clonopin, Dalmane, Diazepam, Librium, Xanax, Serax, Tranxene, Valium, Verstran, Halcion, Paxipam, Restoril, Centrax.
Methadone:	Dolophine, Methadose.
Propoxyphene:	Darvocet, Darvon N., Dolene, etc.

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<sup>1</sup> Due to the large number of obscure brand names and constant marketing of new products, this list cannot, and is not intended to, be all-inclusive.



## EMPLOYEE ASSISTANCE AND REHABILITATION PROGRAMS

The following list is not an endorsement of any of the identified programs by the District. The District provides this list of programs as a community service and in compliance with Florida Statutes § 440.102(3)(7).

If your drug test result is positive and/or you have a drug or alcohol problem, you may want to consider contacting the following organizations for assistance:

### EMPLOYEE ASSISTANCE PROGRAMS:

### DRUG AND ALCOHOL REHABILITATION PROGRAMS

Local Substance Abuse Treatment Centers	Phone Numbers
AA, Al—Anon, Alateen	(352) 867-0660
Act II Complex	(352) 369-1183
Christian 12 Step Ministry, Inc.	(352) 694-4278
Comprehensive Addictions Treatment Services	(352) 732-2287
Cocaine Anonymous- Tampa Area	(813) 802-0060
Community Council Against Substance Abuse	(352) 629-8231
Drug Help National	(800) 378-4435
Marion Citrus Mental Health	(352) 291-5518
Narcotics Anonymous	(800) 262-2463
Phoenix House	(352) 595-5000
VA Substance Abuse Clinic	(352) 732-1665

For additional Substance Abuse and Mental Health Services, please refer to :



Website: <http://findtreatment.samhsa.gov/>