

SUBSTANCE ABUSE POLICY

Town of Menasha Fire Department
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Adopted March, 2009

Purpose:

The Town of Menasha Fire Department recognizes the potentially adverse impact of substance abuse on the personal lives of our members and the resultant impact on the workplace environment. In addition, we recognize the unique duties and responsibilities of our members. Therefore, we are adopting and implementing the following substance abuse policy. Substance abuse increases accidents and injuries to members, impairs job performance and causes higher rates of absenteeism and tardiness. For the well-being and economic interest of the community, personnel and fire department there is a need to address this potentially serious problem.

The fire department has developed a requirement for testing of all applicants who are being considered for employment. The fire department is also adopting a program of "for cause" alcohol and drug testing of members who are involved in certain motor vehicle accidents or who are reasonably suspected of being at work under the influence of alcohol or drugs.

It shall be the policy of the fire department to adhere to a "ZERO TOLERANCE" level of under the influence of drugs or alcohol of all fire department personnel.

Scope:

All fire department personnel shall comply with this standard. Individuals with alcohol or drug abuse problems may make up a small fraction of the work force, but fire department management believes that the implementation of this policy will provide overall benefits to its citizens, members, fire department and other member organizations.

Definitions:

Alcohol or alcoholic beverage – any beverage that has an alcoholic content above 0.1 percent by weight or volume.

Drug – any substance (other than alcohol) included, but not limited to, a controlled substance, an illegal drug, and a prescription drug capable of altering an individual's mood, perception, pain level or judgment.

Controlled substance – any drug for which the distribution, sale or consumption is controlled by law.

Prescription drug – any drug that is prescribed by a duly licensed medical practitioner for the individual consuming it.

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Illegal drug – any drug or substance for which the sale, distribution, possession or consumption without proper authorization, is subject to criminal sanction, or a controlled substance consumed, sold, possessed, or distributed illegally.

Supervisor – the officer or acting officer who is the member's immediate supervisor in the chain of command

Employee Assistance Program (EAP) – the Town's contracted counseling program that offers assessment, short-term counseling, and referral services to employees for a wide range of drug, alcohol, and mental health problems, and monitors the progress of employees while in treatment.

Member – any person working for the fire department for salary or wages.

Under the influence of alcohol – having consumed alcohol to a point where there is any concentration in the blood stream. Absolute sobriety or .00 concentration of alcohol is required.

Alcohol and Drug Testing Procedures:

The procedures of the fire department in regard to members suspected of using, possession or being under the influence of alcohol or drugs while on duty are as follows:

1. Reasonable Suspicion: shall include but not be limited to an apparent behavior or personality change; insubordination; confusion or lack of coordination; irrational conduct or activity; an appearance of or odor of intoxication, unusually slow or erratic movements or speech patterns.
2. In cases in which a member is acting in an abnormal manner or appears unfit to perform their duties in a safe manner; a supervisor has reasonable suspicion to believe the member is using or is under the influence of alcohol or drugs; the supervisor shall contact a second supervisor of increasing rank to interview the member. If they feel there are reasonable grounds that the member is under the influence they shall make arrangements to take the member to a properly authorized testing facility for alcohol and drug testing.
3. Failure of the suspected member to promptly volunteer to submit to such test, including signing any required forms, will be deemed an act of insubordination justifying immediate suspension.

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4. In accordance with Town policy, the member shall be taken directly home immediately after the testing and the supervisor shall submit a written report to the Fire Chief, who will forward it to the Town Administrator. The report should outline in detail what happened and what behavior was observed that led the supervisor to believe the employee was under the influence of alcohol and/or drugs. This report shall be done within 24 hours of the testing. The results of the testing will be sent directly to the Town Administrator when the results of the test are obtained. The Fire Chief or Chief's designee will meet with the Town Administrator to determine the appropriate action to be taken.

Prescription Drugs:

Any member who has been prescribed controlled substances, narcotics, or hallucinogens shall notify their assigned officer. Their assigned officer shall follow the chain of command to determine if the safety of the member, citizens, or other fire department personnel may be affected due to the prescribed medication. It may be determined that the member is put on a medical leave of absence during the duration.

Alcohol and Drug Possession:

Members shall not store or bring into any fire department facility or vehicle, alcoholic beverages, controlled substances, narcotics, or hallucinogens. Any members found in violation will be subject to fire department disciplinary procedures.

Post Accident Testing:

1. Any member driving a fire department vehicle that is involved in a motor vehicle accident involving another vehicle or pedestrian; or a non-driving member who has caused or contributed to such an accident, shall be tested for alcohol and drugs.
2. Any member who causes, in part or in whole, an incident that results in an injury to another member which requires treatment at a medical facility may be tested for alcohol and drugs. The Fire Chief will decide if testing is to be performed.

Rehabilitation:

Any member, who has tested "positive" on a test pursuant to the policy, may be directed to the Employee Assistance Program dependant upon the decision of the Town Administrator and Fire Chief or Chief's designee. The decision will be made pursuant to the nature of the incident requiring the testing.

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Return to Duty:

Upon successful completion of rehabilitation, the member may be re-tested and the results of the test must be negative before the fire department will restore the member to active duty. Written documentation must be forwarded to the Fire Chief before any return to duty is granted. The member may be required to undergo a re-test before being allowed to return to duty at the discretion of the Fire Chief.

Discipline:

Any supervisor who does not relieve from duty a member suspected of being under the influence of alcohol or drugs, or whose ability to perform his/her duties is impaired, shall be subject to the fire department's disciplinary procedures.

Any member who is tested "positive" for alcohol or drug use while on duty shall be subject to the fire department's disciplinary procedures.

Any member who violates the provisions of this policy may be subject to termination on the second offense.