

JACKSON COUNTY WATER AND SEWERAGE AUTHORITY

DRUG FREE WORKPLACE POLICY

I. Policy Statement

While THE AUTHORITY, hereinafter referred to as THE AUTHORITY, does not intend to intrude into the private lives of its employees, it recognizes the problem of drug and alcohol abuse within our society. Its causes are many and complex but some things are certain: the use, sale, purchase or possession of illegal drugs, the abuse of prescription drugs, and the use of alcohol or being under the influence of alcohol in the workplace are inconsistent with our commitment to provide a safe and productive environment for our employees. THE AUTHORITY is addressing this problem by implementing a Drug-Free Workplace Policy. As such, THE AUTHORITY is subject to the Official Code of Georgia Annotated (OCGA) 34-9-410. Our Drug-Free Workplace Program is certified by the Georgia Workers' Compensation Board in accordance with Title 34, Chapter 9, Article 11 of the Official Code of Georgia Annotated.

The Authority is concerned with the well being of its employees. The Authority recognizes that a drug free work place encourages productivity and promotes the accomplishment of THE AUTHORITY 'S mission and goals. In accordance with the Drug-Free Work Place Act of 1988 and the state Drug Free Public Workforce Act of 1990, the Authority hereby declares that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance, marijuana illegal or prohibited prescription drug or alcohol is prohibited by Authority employees on AUTHORITY property, in AUTHORITY vehicles, on AUTHORITY time or representing the AUTHORITY.

For purpose of this policy, the following definition shall apply: A controlled substance is defined as those drugs or substances listed in schedules I through V of the Federal Controlled Substance Act, including but not limited to, marijuana, heroin, opiates and methamphetamines/amphetamines. Not included are substances used in accordance with a *valid* prescription. The work place is defined as any location at which an employee performs work pursuant to his or her employment with the Authority, including any travel while in travel status. A dangerous drug is any drug or substance defined as such in O.C.G.A. 16-13-7 1. Violation or conviction means a finding of guilt (including a plea of nolo contendere) or imposition of sentence or both by any judicial body charged with the responsibility to determine violations of the federal and state criminal drug statutes. A criminal drug statute is defined as a federal or non-federal criminal statute involving the manufacture, distribution, dispensing, use of possession or any possession of any controlled substance, marijuana or dangerous drug. Employee includes all employees of the Authority directly engaged in the performance of work, full time or part time.

While THE AUTHORITY understands employees and job applicants under a physician's care must use prescription drugs, abuse of prescribed medications will be dealt with in the same manner as the abuse of illegal drugs. Additionally, if any prescribed medication employees are taking can affect their job performance (i.e., there are warning labels about driving or operation machinery on the container) they are required to inform their supervisor prior to beginning work.

The ultimate goal of this Drug-Free Workplace Policy is to balance respect for our employees' privacy with the need to provide a safe, productive, drug-free workplace. Our intention is to prevent drug or alcohol abuse among our employees. If an employee is using illegal drugs, abusing prescription drugs, or abusing alcohol the employee is encouraged to seek help by calling the Employee Assistance Program or consult THE AUTHORITY 's company listing of helping agencies where they may seek to remedy their problem(s).

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With these basic objectives in mind, THE AUTHORITY has established this Drug-Free Workplace Policy for all of our employees with regard to use, sale, purchase or possession of illegal drugs, the abuse of prescription drugs and the use or being under the influence of alcohol in the workplace. A copy of a policy summary and a list of the drugs which may alter or affect a drug or alcohol test is given to job applicants prior to their taking a job application drug test and to all employees. A complete copy of the Drug-Free Workplace Policy is available to all employees or job applicants who request a copy. The Drug Free Workplace Policy for THE AUTHORITY became effective XX. All advertisements for employment will indicate that job applicant drug testing is required.

II. Consequences of Refusing to Submit to or of tampering with a Drug/Alcohol Test

A job applicant who refuses to take a job applicant drug test or tampers with a drug test will not be hired. An employee who refuses to take a drug or alcohol test or tampers with a drug test specimen or result will be subject to disciplinary action up to and including discharge.

If an employee is injured and requires medical attention beyond first aid, the employee will be required to take a drug and, if indicated, alcohol test to be completed within three (3) hours of the injury. Failure to do so will be deemed as a refusal to take the drug and alcohol test and the employee will be discharged.

III. Types of Drug or Alcohol Tests

Prior to being tested employees will be given an approximate list of the drugs that could alter or affect a drug or alcohol test.

A. Job Applicant Testing

All job applicants, upon receiving a conditional offer of employment, will be given a job applicant drug test. Employment is conditioned upon a negative test result.

B. Reasonable Suspicion Testing

If there is reasonable suspicion to believe that an employee is using or has used illegal drugs, is using or is under the influence of alcohol or drugs while at work, was arrested for a drug related crime, is in possession of illegal drugs or alcohol while at work, is distributing or has distributed drugs or alcohol at work or is avoiding medical attention following an injury to avoid being tested for drugs and alcohol, the employee will be tested for drugs and/or alcohol. If an employee is required to take such a test, transportation to and from the testing site will be arranged. After the reasonable suspicion testing the employee will be suspended pending the results of the drug and alcohol tests. Within 24 hours of the reasonable suspicion drug test, the employee will be sent a completed copy of the supervisory referral for drug and alcohol testing form.

C. Post-Injury Testing

If the employee is injured on the job and the injury results in a loss of work time, the employee must submit to a drug and/or alcohol test. If the employee caused, could have caused or contributed to the cause of an injury which resulted in a loss of work time the employee must submit to a drug and/or alcohol test.

D. Post-Accident Testing

If the employee caused, could have caused, or contributed to the cause of an accident where total property damage exceeds the total amount set by the employer, the employee must submit to a drug and/or alcohol test.

E. Routine Fitness-for-Duty Testing

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If the employee is required to have a Fitness-for-Duty physical on an annual or bi-annual basis because of Federal, State, or other requirements a drug test will be included as a part of the physical.

F. Post-Rehabilitation Testing

If the employee enters the Employee Assistance Program or an alcohol or drug rehabilitation program because of a positive confirmed drug or alcohol test result, the employee must submit to drug or alcohol testing at least once per year for a period of two years. However, if the employee voluntarily enters an alcohol or drug rehabilitation program, follow-up testing is not required. Advance notice of testing shall not be given to the employee.

G. Random Testing

All employees may be subject to random testing on an annual basis. Being selected once does not exempt an employee from being selected again during the annual testing period.

H. Other Types of Testing

If mandated by Federal, State or other regulatory agencies, or if the company deems it appropriate other types of testing including periodic testing for certain employees or company wide testing may be required.

IV. Types of Samples Collected

A urine sample will be used to test for drugs other than alcohol and a blood or breath sample will be used to test for alcohol. However, THE AUTHORITY reserves the right to administer other acceptable types of tests when and if specific situations may deem such testing methods appropriate or due to changes in Federal or State requirements. Additionally, the type of test administered is subject to change if the Department of Transportation's drug testing rules, regulations, or guidelines change. In the event that the Department of Transportation promulgates new procedures governing such testing, then this provision of this Policy shall automatically be amended to comply with any such new testing procedures.

V. Employee Education

THE AUTHORITY will provide education on substance abuse in general, and its effects on the workplace, annually. The educational sessions will include the explanation of the disease model of addiction for alcohol and drugs; the effects and danger of the commonly abused substances in the workplace and THE AUTHORITY policies and procedures.

VI. Supervisory Training

THE AUTHORITY will also provide supervisory training. The training program will include how to recognize the signs of drug or alcohol abuse, how to document and collaborate the signs of drug or alcohol abuse, and how to refer those who abuse drugs or alcohol.

VII. The Consequence of a Positive Drug or Alcohol Test Result

If an employee has a confirmed positive test result, THE AUTHORITY will send the employee a letter within five days of the receipt of notification from the Laboratory and/or Medical Review Officer notifying THE AUTHORITY of the positive test result. The letter will outline the consequences for violation of the company substance abuse/Drug Free Workplace Policy, explain the employee's rights and the manner in which the employee may challenge the positive test result. The employee is responsible for any costs associated with the challenge.

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VIII. Confidentiality of All Drug-Free Workplace Information

All information, interviews, reports, statements, memoranda, and drug and alcohol test results, written or otherwise received by THE AUTHORITY through this Policy are confidential communications and will be maintained in a separate confidential file.

THE AUTHORITY, any laboratory, drug or alcohol treatment program or their agents who receive or have access to information concerning drug or alcohol test results shall keep it confidential. Release of such information under any other circumstance shall be solely pursuant to a signed, written informed consent form, unless such release is compelled by a hearing officer or court of competent jurisdiction or if deemed appropriate by a professional or occupational licensing board in a related disciplinary proceeding.

Additionally, THE AUTHORITY, its agent, the laboratory or treatment program shall not be prohibited from releasing this information when consulting legal counsel when such information is relevant to its defense in a civil or administrative matter.

IX. How to Challenge Test Results

The employee has the right to challenge any confirmed positive test result. All challenges must be filed in writing within five (5) working days of receiving notification of such result. The first stage requires that the employee explain or contest the result in writing to THE AUTHORITY. If the explanation is unsatisfactory, the employee will be notified of such in writing within fifteen (15) days of the date the challenge was received. At that time, the employee will be provided with a copy of the positive test result and the name and address of laboratory. If the employee was involved in an accident and denied medical or indemnity benefits, the employee may file an administrative challenge by filing a claim for benefits with a judge of compensation claims. If no workplace injury occurred, the employee may challenge the test result in a court of competent jurisdiction. If the employee decides to challenge the test result, it is the employee's responsibility to notify the employer and laboratory that the test result is being challenged. The employee will be solely responsible for all costs associated with such a challenge. All additional tests must be performed upon the original sample.

X. Requirement to Report Criminal Drug Statute Convictions

If the employee is convicted of any drug related crime (sale, use or possession), the employee must notify THE AUTHORITY in writing within five (5) calendar days of the conviction. Failure to notify THE AUTHORITY of such conviction is grounds for disciplinary action up to and including discharge.

XI. Amendments

THE AUTHORITY reserves the right to amend, change or alter this Policy without the consent of its employees. The employee is not required to enter a drug and alcohol treatment program and is free to enroll in any drug and alcohol treatment program. The employee can consult THE AUTHORITY list for qualified treatment programs available. The employee is solely responsible for any costs associated with treatment.

XII. Substances Subject to Test

Employees may be tested for any or all of the following:

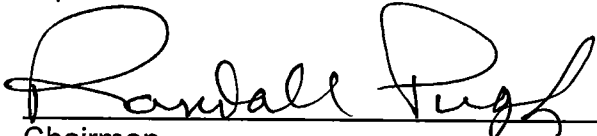
Alcohol	Amphetamines	Barbiturates	Benzodiazepines
Cannabinoids	Cocaine	Methodone**	Methaqualone
Opiates	Methamphetamines	Phencyclidine*	Propoxyphene**

*The only hallucinogen to be tested. **The only synthetic narcotics tested.

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XIII. Date of Implementation

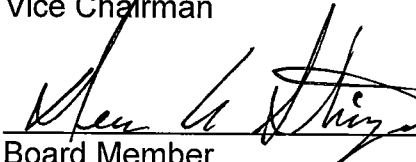
This revised policy supersedes all previous Drug-Free Workplace policies and is implemented on XX.



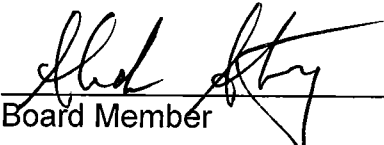
Chairman



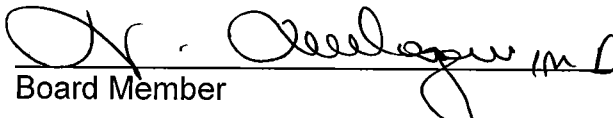
Vice Chairman



Board Member



Board Member



Board Member

3-10-2011

Date