



# **MINERAL COUNTY SCHOOL DISTRICT**

## **Drug and Alcohol Testing Program**

Effective approval date: February 18, 2016

# MINERAL COUNTY SCHOOL DISTRICT

## Drug and Alcohol Testing Program

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**MINERAL COUNTY SCHOOL DISTRICT  
DRUG AND ALCOHOL TESTING PROGRAM**

**I. INTRODUCTION – PURPOSE**

Mineral County School District maintains a strong commitment to provide a safe, efficient, and productive work environment. Employee involvement with alcohol or illegal drugs can be extremely disruptive and harmful to the workplace. It can adversely affect the quality of work and the performance of employees, pose serious safety and health risks to our students, the user, co-workers and the public, and have a negative impact on work efficiency and productivity. Mineral County School District is concerned that employees are in a condition to perform their duties safely and efficiently, in the interests of our students, fellow workers and the public, as well as, themselves. It is the purpose of this testing program to eliminate substance abuse and its effects in the workplace. Mineral County School District is also required to comply with Federal regulations pertaining to the attainment and maintenance of a drug-free workplace. These requirements are outlined under the Drug-Free Workplace Act of 1988. Accordingly, Mineral County School District has developed the following testing program statement regarding substance abuse in the workplace.

The unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited regardless of whether the employee is working or is on District premises. Mineral County School District further prohibits the use or possession of alcohol while working, while on District premises, while operating a District vehicle or equipment or while performing official duties of/for the Mineral County School District.

The drug and alcohol testing program shall apply to all classified and non-classified full-time, part-time and temporary employees of Mineral County School District. Violation of the drug and alcohol testing program may result in Disciplinary Action in accordance with the applicable Negotiated Labor Agreement and NRS 391.

Employment with Mineral County School District is contingent upon, among other things, compliance with this testing program. Violations of the drug and alcohol testing program will result in immediate removal from the work site. The implementation date for the Drug and Alcohol Testing Program will be July 1, 2016.

## II. DEFINITIONS

- A. “Illegal Drugs” means any controlled substance or drug, the sale, possession or consumption of which is illegal under Federal, State or Local law. The term includes medical marijuana and prescription drugs not legally obtained and prescription drugs not being used in the manner, combination or quantity prescribed.
- B. “Legal Drugs” include prescription drugs and over-the-counter drugs which have been legally obtained and are being used in the manner, combination or quantity for which they were prescribed or manufactured.
- C. “Positive Alcohol/Drug Test” means, for the purpose of this testing program, that the employee has ingested a drug(s) that causes the employee’s drug threshold level to be above the Federal Department of Health and Human Services (DHHS) guidelines. An employee whose alcohol level is .04 or greater, is considered to be in violation of the testing program.
- D. “Reasonable Suspicion” means a) that the employee has been involved in a workplace accident or an incident resulting in personal injury (requiring a C-3 filing or student injury report) or damage (over \$500.00) to District property, or work-place circumstances which could have resulted in personal injury or damage to District property, and a trained supervisory employee, trained in the recognition of drug related symptomology has reasonable suspicion to believe that the employee’s acts or omissions contributed to the occurrence or severity of the accident, incident or circumstances; b) behavioral conduct of an employee currently affected by alcohol, drugs or a controlled substance, based upon specific personal observations of the trained supervisor concerning behavior, speech, or body odors; or circumstances which could indicate that the employee is reporting to work in other than a sober and reliable state, free from the effects of alcohol or drugs; or c) evidence of other specific contemporaneous physical, behavioral or performance indicators of probable substance abuse. When possible, two supervisors, one of which is trained in detecting the indicators of alcohol/substance abuse, shall substantiate and concur in the decision to test.
- E. “District property” means all real or personal property owned, leased or otherwise under the control of Mineral County School District. This includes, but is not limited to, buildings, facilities, vehicles, offices, parking lots, desk, lockers, etc.
- F. “Contraband” means any items such as illegal drugs, alcohol, drug paraphernalia or other related items whose possession is prohibited under NRS 453.554.
- G. “Adulterated Test” means a sample that contains a substance that is not expected to be in human urine or contains a substance expected to be present, but is at a concentration so high that it is not consistent with human urine.
- H. “Substituted Test” means a sample with creatinine and specific gravity values that are so diminished that they are not consistent with human urine.
- I. “Program Manager” will be Human Resource for MCSD.

### **III. TESTING PROGRAM**

#### A. Possession, use or sale of drugs/alcohol.

##### 1. Alcohol

Possession of open containers, use or being under the influence of alcohol (as defined herein) by any employee during normal business hours including lunch breaks, while performing Mineral County School District business including any extracurricular activity, or while on District premises is prohibited. Failure to pass an alcohol test may result in Disciplinary Action in accordance with the applicable negotiated Labor Agreement and MRS 391.

##### 2. Illegal Drugs

The unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited. Failure to pass a drug test may result in Disciplinary Action in accordance with the applicable Negotiated Labor Agreement and MRS 391.

##### 3. Legal Drugs

The use or being under the influence of any legal drug by any employee while on District premises or while performing District business is prohibited to the extent such use or influence may affect the safety of our students, the employee, co-workers or the public.

It is expressly understood, an employee who uses a legal drug, “over the counter or prescribed”, has an obligation to inquire and determine whether the legal drug he or she is taking may affect or impair his or her ability to safely perform his or her job duties. An employee taking legal drugs, “over the counter or prescribed”, contrary to instructions provided by the manufacturer or health care professional, i.e. pharmacists or physician, may be subject to Disciplinary Action in accordance with the applicable Negotiated Labor Agreement and NRS 391. Any use of a legal drug, “over the counter or prescribed”, that results in a suspicion of being impaired or a post-accident will result in the reasonable suspicion testing process.

##### 4. Co-Workers Obligations

Any employee who has observed, or has personal knowledge, that another employee is using, or possessing illegal drugs or alcohol in violation of this testing program, should make a good faith effort to report the observation or knowledge to the Alcohol and Drug Testing Program Manager or designee. The employee may choose to report and remain anonymous. Employees making factitious, frivolous, or fraudulent reports may be subject to Disciplinary Action in accordance with the appropriate Negotiated Labor Agreement and NRS 391.

## B. Drug and Alcohol Testing

Mineral County School District will implement the following types of drug and alcohol testing: 1) pre-placement testing; 2) reasonable suspicion testing and 3) post-accident testing

### 1. Pre-placement/ New Employment Testing

- a. An offer of employment is conditioned upon the applicant's ability to pass a pre-placement drug/alcohol test.
- b. An applicant having a positive, adulterated or substituted test result will not be hired. An opportunity to re-apply and re-test will be offered no sooner than three months.
- c. Before an applicant testing positive for any legal prescription drug can be hired, the applicant must provide proof that the prescription drug was legally obtained (i.e. a prescription) and, where appropriate, a doctor's statement of any potential work related restrictions caused by the medication.
- d. Any special or unusual circumstances should be reported to the Alcohol and Drug Testing Program Manager (or designee). For example, if a job applicant claims (or if there is reason to believe) he/she, as a recovering drug abuser, is "disabled" or if the applicant refuses to be tested for religious or other reasons, the matter must be referred to the Alcohol and Drug Testing Program Manager (or designee) before taking further action.
- e. An applicant will not be permitted to commence work prior to receipt of the negative results of pre-placement testing.

### 2. Reasonable Suspicion Testing

Mineral County School District may require a breath or blood alcohol test, and/or drug urinalysis, or a medical examination when there is reasonable suspicion (as defined under "D" on page 2) to believe that the employee is using drugs and/or alcohol prior to or at work or where an employee appears to be impaired or under the influence.

### 3. Post-Accident Testing

Each employee will be tested for prohibited drugs and alcohol use as soon as possible after a reportable accident after first aid has been provided (if there is reasonable suspicion as defined under "D" on page 2). District policy defines "reportable accident" as any accident that results in an employee requiring medical treatment that results in the filing of a worker compensation claim (C-3), or property damage estimated to exceed five hundred dollars (\$500.00). An employee shall not be relieved of duty pending the receipt of test results except where there is reasonable evidence that alcohol or illegal drug use was a contributing factor as determined by the treating physician. Failure to report an accident immediately to a Supervisor may result in disciplinary action up to and including termination.

4. Mineral County School District will conduct testing for the following types of substances:
  - a. Marijuana
  - b. Cocaine
  - c. Opiates
  - d. Amphetamines
  - e. Phencyclidine (PCP)
  - f. Alcohol

Additional substances may be added or deleted to/from this list if provisions of the Federal Drug-Free Workplace Act of 1988 change. Mineral County School District will follow federal testing guidelines as set forth in 49CFR, Part 40 in sample collection and determination of positive, adulterated or substituted or negative result. All drug testing services will be performed in laboratories licensed by the State of Nevada. For purposes of this testing program, any employee who has an alcohol level of .04 or more when arriving at work or anytime during his/her working hours is considered to be in violation of the testing program. A management representative will provide transportation and accompany the employee to a designated emergency care facility whenever a post-accident or reasonable suspicion alcohol and drug test is required per District testing program. Submission of an altered or adulterated specimen or the substitution of a specimen by the applicant is considered a refusal to test and will preclude an applicant from receiving an employment offer. Employees who submit an altered or adulterated specimen will be subject to Discipline in accordance with the applicable Negotiated Labor Agreement. Mineral County School District will bear the cost for post-accident and reasonable suspicion drug and alcohol testing. Employees have the right to representation per the applicable Negotiated Labor Agreement and the Weingarten Act.

#### IV. COLLECTION SITES

The Alcohol and Drug Testing Program Manager will maintain a list of the primary sites for sample collection and Medical Review Officer Services.

Breath and/or blood alcohol specimen evaluation will be performed at a designated clinic or hospital or other location (District Facility) if a certified technician is available. As set forth in 49 CFR Part 40, all drug testing is done from urine specimens collected under highly controlled conditions. The employee provides a urine specimen in a location that affords privacy and 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 ensure that the specimen's security, proper identification and integrity are not compromised.

Employee protection is also built in to the testing procedures. Laboratories that will be used for testing are those certified by the Federal Government. The initial test of any specimen will be an immunoassay which meets the requirement of the Food and Drug Administration for commercial distribution. All specimens identified as positive will be further confirmed using gas chromatography/mass spectrometry techniques.

Alcohol testing will be conducted through a breath and/or blood sample. Breath testing is performed on an evidential breath testing device (EBT). The EBT is a scientific instrument which determines the concentration of alcohol expressed as "percent by weight". The weight of alcohol in the breath sample is determined and the quantity of the alcohol converted to its equivalent value in blood. A blood alcohol concentration (BAC) of .10 means one tenth of a gram of alcohol per 210 liters of breath. The EBT will print three copies of each test result and the test results are numbered. When the initial test results show a reading of .04 BAC or greater, a confirmation test is conducted. Before the confirmation test, a 15 minute waiting period will occur for the purpose of ensuring that the presence of mouth alcohol from recent use of food, tobacco, or hygiene products does not artificially raise the test result. The confirmation test is done on the same EBT as the first test. When the confirmation result is different from the initial test, the confirmation test result will always be used to determine employee consequences. The employee will be given a copy of the breath alcohol testing form. Blood alcohol testing will be conducted when an EBT is not readily available for use, in the event the employee is unable to provide an adequate breath sample for whatever reason, or at an employee's request.

## V. THE ROLE OF THE MEDICAL REVIEW OFFICER

The Medical Review Officer is a licensed physician who is knowledgeable in the medical use of prescription drugs and the pharmacology and toxicology of illicit drugs. The primary responsibility of the MRO is to review and interpret test results obtained through Mineral County School District's drug testing program. It is important to understand that a positive, adulterated or substituted test result does not automatically identify an individual as an illegal drug user. The MRO must evaluate the alternative medical explanations that could account for the test result.

The review of a test result is initiated immediately upon receipt and is ordinarily completed within two (2) working days after receipt of all information pertinent to the review. No information about the test result shall be given to the employer during this period. In addition to information provided by the employee, this review will include considerations of chain of custody documents prepared at the time of collection and, in connection with the laboratory, processing of the specimen. This review must also include review of the chain of custody documentation.

During the review of the laboratory results, the MRO will conduct a medical interview with the individual, review the individual's medical history, or review other biomedical factors. The MRO must review all medical records that the tested individual submits when a confirmed positive test could have resulted from the use of a legal drug "over the counter or prescribed".

If any questions arise about the accuracy or validity of a positive, adulterated or substituted test result, the MRO will review the laboratory records to determine whether the required procedures were followed. This will require collaboration with the laboratory director, the analysts, and expert consultants.

At this point, the MRO makes a determination as to whether the result is scientifically sufficient to take further action. However, if the records from the collection site or laboratory raise doubts about the handling of the sample, the MRO may decide the urinary evidence is insufficient and no further actions would be taken. In these cases, the MRO shall note the possible errors in laboratory analysis or chain of custody procedures and shall notify the proper officials, as set forth in 49 CFR Part 40.

In summary, the MRO determines whether there is some reason other than illegal drug use to explain a positive, adulterated or substituted drug test. If the MRO verifies illegal drug use, the case is referred to the Alcohol and Drug Testing Program Manager. If illegal drug use is not verified, the test result is deemed negative, the employer is informed, and a written recommendation is made to the employee to consult with a physician regarding the employee's adverse reaction to a legal drug "over the counter or prescribed".

The MRO services are currently provided by Quest Diagnostics. These services may be changed at the School District's prerogative.

## **VI. CONTRABAND**

Mineral County School District Management reserves the right to inspect or search its premises at any time, including employee lockers, desks or other District property under the control of the employee. Any contraband or suspected contraband discovered will be impounded and sealed in a container. The seal should bear the date, names of the persons present, general description of the contraband, etc. A receipt will be given for such seized property. Seized contraband should be retained in a locked cabinet under the exclusive control of the Alcohol and Drug Testing Program Manager (or designee) only until law enforcement agencies can be contacted to remove contraband for appropriate evaluation. If possession is transferred, a chain of receipts should be established. Seized property may turn out, after investigation, to be property that properly was in an employee's possession. In such cases, the property will be returned and a receipt obtained.

## **VII. EMPLOYEE CONSENT**

Upon request, an employee will accompany the supervisor/district representative promptly to the collection site, complete any required forms and releases and provide a sample for testing.

## **VIII. DISCIPLINARY ACTION**

Violation of this testing program may result in Disciplinary Action in accordance with the appropriate Negotiated Labor Agreement and NRS 391. Under Drug-Free Workplace Act requirements, employees must abide by this testing program as a condition of continued employment. Any employee who is convicted of a felony violation of any criminal drug statute related to the unlawful manufacture, distribution, dispensation, possession or use of controlled substances in the work place must inform the District no later than five (5) days after such conviction of the fact of the conviction.

### **DISCIPLINARY PROCESS**

#### **A. Investigative Suspension**

Any employee suspected to be in violation of the Drug and Alcohol Testing Program will be placed on investigative suspension pending the results of the drug and alcohol testing. If test results are negative, the employee will be reinstated and compensated for wages lost during suspension. If test results are confirmed positive, adulterated or substituted the employee may be disciplined in accordance with the applicable Negotiated Labor Agreement and NRS 391. A refusal to provide either a specimen or consent form will constitute a testing program violation and the employee may be disciplined in accordance with the applicable Negotiated Labor Agreement.

## B. Test Validity

No later than seventy-two (72) hours after receipt of a positive, adulterated or substituted drug test, the employee may obtain an independent analysis of the same sample at his or her expense. Mineral County School District shall not have the requested test performed unless the employee first pays in advance all costs of the second test. Upon request, the Medical Review Officer will authorize the laboratory holding the employee's sample to release to a laboratory approved by the Department of Health and Human Services a sufficient quantity of the sample to allow a second laboratory to conduct a drug testing analysis. Because some analytes deteriorate or are lost during freezing and/or storage, quantitation for a retest is not subject to a specific cutoff requirement but must provide data sufficient to confirm the presence of the drug or metabolite. By requesting a second analysis, the employee authorizes Mineral County School District to obtain a copy of any test results determined by the second laboratory. The accuracy of the test results will be verified by the laboratory conducting the analysis. If the second test is positive, adulterated or substituted the employee will be subject to disciplinary action in accordance with the applicable Negotiated Labor Agreement and NRS 391. If the second test is negative, the original test shall be disregarded, and the cost of the second test shall be refunded. The employee will be reimbursed for wages lost during the suspension.

## C. Voluntary Admittance To A Treatment Program

An employee who voluntarily self-identifies as in need of treatment will not be disciplined or subject to other adverse employment action as a result. Employees may at their discretion be represented in accordance with the applicable Negotiated Labor Agreement. Employees should be aware, however, that substance abuse problems will not absolve them from responsibility for their conduct and satisfactory job performance. Mineral County School District therefore encourages employees who may need treatment assistance to seek help before performance issues become a problem. All information regarding the employee's participation in treatment will be held in strict confidence. Only information that is necessary for the performance of normal business will be shared with the employee's immediate supervisor. Upon returning to work, the employee will be expected to follow all recommendations given by the treatment provider. The employee may be asked to sign a release of information allowing the Alcohol and Drug Testing Program Manager to confer with the treatment provider to monitor on-going compliance with their recommendations. The cost of any required treatment program will be the sole responsibility of the employee (which may be covered by an employee's health care program). Any time off from work taken by an employee to enter an alcohol or drug rehabilitation program may be compensated by the use of any appropriately entitled and available leave as per the applicable Negotiated Labor Agreement. Any addition time off shall be without pay.

**IX. CONFIDENTIALITY**

The Alcohol and Drug Testing Program Manager will maintain all records and reports relating to drug and alcohol testing in a secure location separate from personnel records. Test results may be disclosed to the employee upon request. Disclosures without employee consent may also occur when the information is compelled by law or judicial or administrative process. The tested individual has a right of access to his or her written test results. No sample taken for testing shall be tested for any substance or condition except drugs or alcohol.

**X. EMPLOYEE ASSISTANCE AWARENESS PROGRAM**

All employees shall participate in a District-sponsored alcohol and drug awareness program. The program shall provide employees with information regarding: the District's alcohol and drug-free workplace testing program; available counseling, referral agencies and rehabilitation (which may be covered by the employee's health care program); information on the employees' rights concerning due process as contained in the appropriate Negotiated Labor Agreement; and the penalties imposed upon employees for violations of this testing program. Supervisory personnel will receive additional training on recognizing performance indicators of probable drug or alcohol abuse and how to effectively intervene when an employee is suspected of violating this testing program.

**XI. TEMPORARY EMPLOYMENT SERVICES**

Any temporary employee assigned to Mineral County School District's workplace shall be subject to the same rules of conduct relating to alcohol and illegal drug use which are applicable to employees of the District.

**XII. FACILITY WORK RULES**

The Mineral County School District Alcohol and Drug Testing Program will be uniformly and consistently applied in an equitable manner to all employees, provided however, that where any federal, state, or local law imposes restrictions on implementation or enforcement of this drug and alcohol testing program, the Mineral County School District will modify this drug and alcohol program in accordance with such restrictions.

**XIII. CONTRACTORS AND VENDORS**

Contractors and Vendors shall be required to cooperate with this testing program in achieving a drug and alcohol free workplace. Violation of these provisions or refusal to cooperate with the testing program requirements can result in the District barring contract and vendor personnel from all District facilities or participating in operations.

**XIV. SAVING CLAUSE**

In the event any provisions of this program are held by a court of competent jurisdiction to be in contravention of any such law, the remainder of the program shall remain in full force and effect.

APPENDICES

MINERAL COUNTY SCHOOL DISTRICT

Drug and Alcohol Testing Program

APPENDICES

|  |              |
|--|--------------|
| A. Notice to Employees                                     | Pages 12, 13 |
| B. Reasonable Suspicion Report                             | Pages 14, 15 |
| C. Employee Response Form                                  | Pages 16, 17 |
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| G. Notice to Agency Assigned Employees                     | Page 22      |
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**MINERAL COUNTY SCHOOL DISTRICT**  
**NOTICE TO EMPLOYEES**  
**DRUG AND ALCOHOL TESTING PROGRAM**

Mineral County School District has a vital interest in maintaining safe, healthful and efficient working conditions for its students and employees. Using or being under the influence of drugs or alcohol on the job may pose serious safety and health risks not only for our students and the user but to the public and all those who work with the user. The possession, use or sale of an illegal drug or controlled substance may also pose unacceptable risks to safe, healthful and efficient operations.

Effective July 1, 2016, the District is implementing its Drug and Alcohol Testing Program. Violation of the Drug and Alcohol Testing Program may result in disciplinary action in accordance with the applicable Negotiated Labor Agreement and NRS 391. Under the Drug-Free Workplace Act requirements, employees must abide by this testing program as a condition of continued employment. Any employee who is convicted or a violation of any criminal drug statute related to the unlawful manufacture, distribution, dispensation, possession or use of controlled substances in the work place must inform the District no later than five (5) days after such conviction of the fact of the conviction.

Thank you for your support.

**EMPLOYEE ACKNOWLEDGEMENT OF DRUG AND ALCOHOL TESTING PROGRAM**

I acknowledge that I have received a copy of Mineral County School District’s Drug and Alcohol Testing Program, effective July 1, 2016. I agree that it is my responsibility to know and understand the contents therein and will comply with its requirements. I also understand that I can ask my supervisor or the Alcohol and Drug Testing Program Manager for clarification of anything that is not understood by me.

The current Program Manager is Human Resource. Employees will be notified of any change in the Program within fifteen (15) days of the change and at the beginning of each school year.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Employee Name (Please Print)

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Parent/Guardian Signature

**MINERAL COUNTY SCHOOL DISTRICT  
REASONABLE SUSPICION REPORT**

When requesting a drug or alcohol test, Mineral County School District's representative must complete this form.

1. Name of Employee: \_\_\_\_\_
2. Position: \_\_\_\_\_
3. Date of Incident: \_\_\_\_\_
4. Time of Incident: \_\_\_\_\_
5. State objective evidence of reasonable suspicion to believe employee is in possession of, using, or under the influence of drugs and/or alcohol (physical evidence should be retained and stored):  
  
\_\_\_\_\_  
  
\_\_\_\_\_
6. Protocol for requesting drug and alcohol testing:
  - a. Attempt to have another trained supervisor corroborate your observation.
  - b. Contact the Alcohol and Drug Testing Program Manager (or designee) to review evidence and approve testing if appropriate.
7. Call employee into office, advise them of their rights of representation as provided in the applicable Negotiated Labor Agreement and the Weingarten Act, then present employee with accusation and evidence. Have employee sign if representation is rejected:  
  
\_\_\_\_\_  
Representation Rejected: \_\_\_\_\_ Date: \_\_\_\_\_
8. Employee's response (investigate, where appropriate):  
  
\_\_\_\_\_  
  
\_\_\_\_\_
9. Inform employee of Mineral County Scholl District's Testing Program on drugs and alcohol.

10. Request employee to submit to drug and alcohol testing:

- a. If employee agrees, have employee sign testing release and follow procedure for collecting sample.
- b. If employee refuses to submit to testing:

1) Ask employee for reason(s) why employee refuses to submit to drug and alcohol testing:

Employee's Response \_\_\_\_\_  
\_\_\_\_\_

2) Inform employee that Mineral County School District's Testing Program requires employee to consent to testing and that refusal is grounds for disciplinary action in accordance with the appropriate Negotiated Labor Agreement and NRS 391.

3) Again request employee to consent to drug and alcohol testing.

a) If employee agrees, have employee sign testing release and follow procedure for collecting sample.

b) A management team member will arrange transportation and accompany the employee to the collection site, stay in the waiting room until notified that the collection has been completed and then arrange transportation home for the employee. The employee may have a representative present with them if they choose in accordance with the provisions of the applicable Negotiated Labor Agreement.

c) If employee still refuses, inform employee that he/she is on investigative Administrative Leave with pay pending Mineral County School District's decision on the matter. Request employee to sign refusal to test form.

11. After sample collection, inform employee that he/she is on investigative Administrative Leave with pay pending test results and Mineral County School District's decision on the matter.

12. In cases where the employee is suspected of being under the influence of drugs and/or alcohol, arrange transportation home for the employee. If the employee refuses transportation, attempt to persuade the employee to change his/her mind. Do not detain or physically restrain the employee. In cases where the employee refuses transportation and the employee's condition suggests that the employee presents a potential or actual safety risk to themselves or other drivers, notify the police. Inform the employee that you intend to call the police unless the employee accepts transportation. Seek corroborating witnesses to verify employee's refusal of transportation.

**MINERAL COUNTY SCHOOL DISTRICT  
EMPLOYEE RESPONSE FORM  
REFUSAL TO TEST**

I acknowledge that Mineral County School District has requested that I submit to drug and alcohol testing pursuant to its Drug and Alcohol Testing Program. I further understand that I have previously received a copy of the District's Drug and Alcohol Testing Program.

I understand that the testing is voluntary on my part, and that I may refuse to submit, and that such refusal will be grounds for disciplinary action up to and including possible termination in accordance with the applicable Negotiated Labor Agreement and NRS 391.

With full knowledge of the foregoing, I hereby **refuse** to submit to drug and alcohol testing.

\_\_\_\_\_  
Employee's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Immediate Supervisor/Alcohol and Drug Testing Program Manager

\_\_\_\_\_  
Date

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Date

**MINERAL COUNTY SCHOOL DISTRICT**  
**EMPLOYEE RESPONSE FORM**  
**AGREEMENT TO TEST**

I acknowledge that Mineral County School District has requested that I submit to drug and alcohol testing pursuant to its Drug and Alcohol Testing Program. I further understand that I have previously received a copy of the District's Drug and Alcohol Testing Program.

I understand that the testing is voluntary on my part, which I may refuse to submit to, and that such refusal will be grounds for disciplinary action in accordance with the applicable Negotiated Labor Agreement and NRS 391.

I further understand that the positive test results may be released to Mineral County School District and the results will be used as grounds for disciplinary action in accordance with the applicable Negotiated Labor Agreement and NRS 391.

By checking this box I am authorizing and requesting "automatic" notice of the results of this test within 24 hours of receipt by the Program Administrator.

\_\_\_\_\_  
Employee's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Immediate Supervisor/Alcohol and Drug Testing Program Manager

\_\_\_\_\_  
Date

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Date

**MINERAL COUNTY SCHOOL DISTRICT**  
**RETURN TO DUTY POLICY FOR**  
**VIOLATIONS REQUIRING REHABILITATION**

I acknowledge that I have violated Mineral County School District's Drug and Alcohol Testing Program. I also acknowledge that I have been evaluated by an independent medical professional who has recommended that I would benefit from a course of treatment to address substance abuse. Mineral County School District has offered me an opportunity to return to duty, subject to the terms set forth below. Therefore, I understand and agree that:

1. I will participate in a prescribed treatment program.
2. I will comply with all of the program requirements to their successful completion.
3. When my treatment provider deems me ready to resume working, I will provide a negative alcohol/drug test prior to return to work.
4. After my return to work, I will submit to follow-up drug/alcohol testing to confirm that I remain drug and alcohol free. I agree and understand that a positive return-to-work or follow-up test will result in disciplinary action in accordance with the applicable Negotiated Labor Agreement.
5. I will attend the recommended number of aftercare sessions as prescribed. I will authorize the program/treatment provider to provide progress reports to the Alcohol and Drug Program Manager to inform him/her of my ongoing compliance and participation.
6. I agree to attend the recommended number of meetings of self-help groups for the duration of the program requirements. I understand I will need to have my attendance verified by the chairman/secretary's signature and submit the list to the Alcohol and Drug Testing Program Manager on a monthly basis for review.
7. I understand that, upon return to the workplace, I must meet all established standards of conduct and job performance and that I will be subject to Mineral County School District's disciplinary procedures in accordance with the applicable Negotiated Labor Agreement and NRS 391 for any failure to meet the standards.
8. I understand that I will be subject to these requirements until I have completed at least two years of work. Upon completion of two years of work, the Alcohol and Drug Testing Program Manager will review, with my supervisor present my job performance, evaluations, drug and alcohol testing results and determine if the terms will be removed or extended.

9. I UNDERSTAND AND AGREE THAT MY CONTINUED EMPLOYMENT IS CONTINGENT UPON MY SATISFACTORILY MEETING ALL OF THE ABOVE TERMS AND THAT MY FAILURE TO DO SO SUBJECTS ME TO DISCIPLINARY ACTION IN ACCORDANCE WITH THE APPLICABLE NEGOTIATED LABOR AGREEMENT AND NRS 391. NO ORAL/ASSERTION/GUARANTEE TO THE CONTRARY HAVE BEEN MADE TO ME AND I FURTHER UNDERSTAND THAT NO EMPLOYEE OF MINERAL COUNTY SCHOOL DISTRICT IS AUTHORIZED TO MAKE ANY SUCH ORAL/VERBAL ASSURANCE.

---

Employee Signature

---

Date

---

Alcohol and Drug Testing Program Manager

---

Date

**MINERAL COUNTY SCHOOL DISTRICT  
RETURN TO DUTY POLICY FOR  
VIOLATIONS NOT REQUIRING REHABILITATION**

I acknowledge that I have violated Mineral County School District’s Drug and Alcohol Testing Program. Mineral County School District has offered me an opportunity to return to duty, subject to the terms set forth below. Therefore, I understand and agree that:

1. I will provide a negative drug/alcohol test and will follow all assessment recommendations before being eligible to return to work.
2. I agree to submit to return to duty/follow-up drug/alcohol testing to confirm my future compliance with the drug free workplace testing program. I agree and understand that a positive return-to-work or follow-up test will result in my termination from employment.
3. I understand that my violation of Mineral County School District Drug and Alcohol Testing Program warrants close supervision for one year (365 days) upon my return to work and I will accept such supervision as a constructive part of my employment.
4. I understand that upon return to the workplace I must meet all established standards of conduct and job performance and that I will be subject to disciplinary action in accordance with the applicable Negotiated Labor Agreement and NRS 391 for any failure to meet the standards.
5. I understand that I will be subject to the terms of this testing program until I have completed at least one year of work. Upon completion of one year of work, the Alcohol and Drug Testing Program Manager will review with my supervisor present my job performance, evaluations, drug and alcohol testing results and determine if the terms of this testing program will be removed, or extended.
6. I UNDERSTAND AND AGREE THAT MY CONTINUED EMPLOYMENT IS CONTINGENT UPON MY SATISFACTORILY MEETING ALL THE ABOVE TERMS AND THAT MY FAILURE TO DO SO SUBJECTS ME TO DISCIPLINARY ACTION IN ACCORDANCE WITH THE APPLICABLE NEGOTIATED LABOR AGREEMENT AND NRS 391. NO ORAL/ASSUREANCE/GUARANTEE TO THE CONTRARY HAVE BEEN MADE TO ME AND I FURTHER UNDERSTAND THAT NO EMPLOYEE OF MINERAL COUNTY SCHOOL DISTRICT IS AUTHORIZED TO MAKE ANY SUCH ORAL/VERBAL ASSURANCES.

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Alcohol and Drug Testing Program Manager

\_\_\_\_\_  
Date

**MINERAL COUNTY SCHOOL DISTRICT  
DRUG TESTING PROGRAM  
NOTICE TO APPLICANTS**

Mineral County School District has a vital interest in maintaining safe, healthful and efficient working conditions for its students and employees. Using or being under the influence of drugs and/or alcohol on the job may pose serious safety and health risks not only for our students and the user but to the public and all those who work with the user. The possession, use or sale of an illegal drug or controlled substance may also pose unacceptable risks to safe, healthful and efficient operations.

To meet this compelling interest, individuals who wish to be considered for employment must agree to PRE-PLACEMENT DRUG TESTING AND DRUG AND ALCOHOL TESTING DURING EMPLOYMENT per policy GBB6.

By completing and signing this Notice and the attached Application of Employment, the applicant understands and agrees to submit to drug testing as a condition of our employment offer as well as to alcohol and drug testing during the course of employment as provided for in Mineral County School District's Drug and Alcohol Testing Program. Submission of an altered or adulterated specimen or the substitution of a specimen by the applicant will result in a withdrawal of the employment offer.

**ANY APPLICANT WHO IS UNWILLING TO AGREE TO THESE CONDITIONS SHOULD NOT APPLY FOR EMPLOYMENT WITH MINERAL COUNTY SCHOOL DISTRICT.**

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Date

**MINERAL COUNTY SCHOOL DISTRICT  
NOTICE TO AGENCY ASSIGNED EMPLOYEES  
ACKNOWLEDGMENT OF DRUG AND ALCOHOL TESTING PROGRAM**

I acknowledge that I have received a copy of Mineral County School District's Drug and Alcohol Testing Program, effective July 1, 2016. I have read the Testing Program in its entirety and will comply with its requirements.

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Date

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Employee Name (Please Print)

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Employee Signature

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Agency

**MINERAL COUNTY SCHOOL DISTRICT  
DRUG TESTING PROGRAM  
APPLICANT CONDITIONAL PRE-PLACEMENT TESTING REQUIREMENT**

I, \_\_\_\_\_, understand and agree that I will not be allowed to commence employment until I have completed testing in accordance with Mineral County School District's Drug and Alcohol Testing Program. I understand and agree that a positive, adulterated or substituted test result will result in the immediate withdrawal of the offer of employment with Mineral County School District. I understand that I must take the pre-placement drug test before beginning work for Mineral County School District.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Signed: \_\_\_\_\_

Printed: \_\_\_\_\_

**(RETURN TO SUPERVISOR TO FORWARD TO ALCOHOL AND DRUG TESTING MANAGER)**