

City Council Agenda Report

Meeting Date: September 5, 2023
From: Michael Earl, Director of Human Resources
Department: Human Resources
Submitted by: Michael Earl, Director of Human Resources

Subject

Federal Motor Carrier Safety Administration (FMCSA) and Pipeline and Hazardous Materials Safety Administration (PHMSA) Anti-Drug and Alcohol Policies

Recommendation

- A. Adopt Personnel Policies and Procedures Manual Policy III-8 and III-9 – FMCSA and PHMSA Anti-Drug and Alcohol Policies; and
- B. Authorize the City Administrator to make minor revisions as necessary, execute and distribute the policies to affected City Employees.

Background

The Human Resources Department is responsible for maintaining and administering the City's Personnel Policies and Procedures Manual which contains a variety of policies affecting City employees.

The City is subject to requirements of the Federal Department of Transportation (DOT) for employees who possess a commercial drivers license as well as for those employees who perform operations, maintenance, and emergency response work on the City's gas pipelines. Specific DOT requirements for drug and alcohol testing are spelled out by the FMCSA for commercial drivers and the PHMSA for gas pipeline workers. The proposed policies separate the requirements for FMCSA under Policy III-8 and for PHMSA under Policy III-9. The policies specify the circumstances for drug and alcohol testing, the job classifications subject to the requirements, and the procedures for carrying out the administration of the anti-drug and alcohol programs. Generally, employees who are covered under the policy are subjected to drug and/or alcohol testing in the following circumstances: pre-employment, randomly, post-accident, reasonable suspicion, return to duty, and follow up testing after completion of a rehabilitation program.

Administration of the Anti-drug and Alcohol program is complex and includes specifics regarding substances tested, testing and sample collection procedures, percentage of employees to be randomly tested, positive result thresholds, and consequences for positive results. As such, the City has contracted with a third-party administration service to assist in implementing and administering the programs.

The draft policies have been provided to the City's employee bargaining groups representing the affected employees for the opportunity to comment and/or meet and confer. The bargaining groups have either not provided any response or City management continues to discuss the implementation with the bargaining group.

Fiscal Impact

The fiscal impact is estimated at \$10,603. Sufficient funds are available in General Fund, Human Resources Department, Professional Services – Other Account No. 011-010-120-529215 for the current fiscal year.

Attachments

1. Policy III-8 FMCSA Drug and Alcohol Testing Policy
2. Policy III-9 PHMSA Anti-Drug and Alcohol Misuse Prevention Policy