

**RESOLUTION
ROCK COUNTY BOARD OF SUPERVISORS**

Education, Veterans & Aging
Services Committee
INITIATED BY



Joyce Lubben
DRAFTED BY

Education, Veterans & Aging
Services Committee
SUBMITTED BY

November 12, 2012
DATE DRAFTED

**APPROVAL OF REVISED ROCK COUNTY COUNCIL ON AGING DRUG AND ALCOHOL
TESTING POLICY**

- 1 **WHEREAS**, the Council on Aging contracts with the municipalities of Beloit and Janesville to provide
- 2 complementary transit services through the Rock County Specialized Transit Program for persons who
- 3 are elderly and/or disabled; and
- 4
- 5 **WHEREAS**, the Council on Aging's Specialized Transit Program, as a sub-contractor of the
- 6 municipality transit programs receiving federal funds, is subject to the Federal Transit Administration's
- 7 mandated drug and alcohol testing program for safety sensitive positions; and
- 8
- 9 **WHEREAS**, findings of a recent audit by the Federal Transit Administration requires additional
- 10 language in the Council on Aging's Drug and Alcohol Testing Policy to comply with federal regulations.
- 11
- 12 **NOW, THEREFORE, BE IT RESOLVED** that the Rock County Board of Supervisors duly
- 13 assembled this 15 day of November, 2012 does approve the revised Rock County
- 14 Council on Aging's Drug and Alcohol Testing Policy.

12-11D-188

Respectfully submitted,

Education, Veterans & Aging Services Committee

Terry Thomas
Terry Thomas, Chair

Dave Brown
Dave Brown

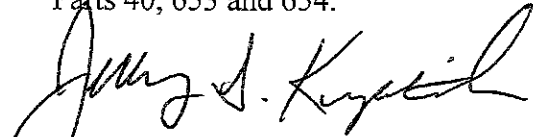
Wayne Gustina
Wayne Gustina

Steve Howland
Steve Howland

Edwin Nash

LEGAL NOTE:

The County Board is required to take this action pursuant to 49 Code of Federal Regulations (CFR) Parts 40, 653 and 654.



Jeffrey S. Kuglitsch
Corporation Counsel

FISCAL NOTE:


No fiscal impact.



Sherry Oja
Finance Director

ADMINISTRATIVE NOTE:

Recommended.



Craig Knutson
County Administrator

EXECUTIVE SUMMARY

The transit systems of Beloit and Janesville contract with the Council on Aging to provide complementary paratransit services for persons who are elderly and/or disabled. As a sub-recipient of Federal Transit Administration funding, those persons engaged in safety sensitive positions with the Rock County Specialized Transit Program are subject to federal drug and alcohol testing policies. A recent audit by the Federal Transit Administration showed a few minor updates are needed in the policy to reflect changes in federal language.

It is required that the County Board of Supervisors approved the updated policy. The deadline for that approval is November 19, 2012. The added language is as follows:

1. A covered employee who has not performed a safety-sensitive function for 90 consecutive days or more and has not been in the Council on Aging random selection pool shall take a pre-employment drug test with a verified negative result before returning to safety-sensitive duties.
2. Substance Abuse Management, Inc. (SAMI), using a scientifically valid method shall administer the selection of employees for random testing. This method will be a computer software-based random selection program that is matched with employee social security numbers or payroll identification numbers. Under this selection process, each employee will have an equal chance of being tested each time selections are made. As a result, some employees may be tested more than once each year, while other employees may not be tested at all.

The following behaviors constitute refusals to submit to a test:

3. Failure to remain at the testing site until the testing process is complete.
4. Failure to undergo a medical examination or evaluation as directed by the MRO as part of the verification process, or as directed by the DER.
5. Failure to cooperate with any part of the testing process.
6. In a case of a directly observed or monitored collection in a drug test, failure to permit the observation or monitoring of the provision of a specimen.
7. For an observed collection, failure to follow the observers instructions to raise clothing above the waist, lower clothing and underpants, and to turn around to permit the observer to determine if there is any type of prosthetic or other device that could be used to interfere with the collection process.
8. Possessing or wearing a prosthetic or other device that could be used to interfere with the collection process.
9. Admitting the adulteration or substitution of a specimen to the collector or MRO.
10. Reporting by the MRO of a verified adulterated or substituted test result.
11. Refusal to sign the test form(s) will be regarded as a refusal to take the test.

No county tax levy is required.