

ORDINANCE NO. 4164

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, ADOPTING THE ZERO TOLERANCE SUBSTANCE ABUSE POLICY FOR THE MESQUITE TRANSPORTATION FOR THE ELDERLY AND DISABLED PROGRAM; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Mesquite Transportation for the Elderly and Disabled Division ("MTED") is dedicated to providing safe, dependable and economical transportation services to MTED system passengers; and

WHEREAS, formal adoption of the City's substance abuse policy satisfies the requirements of federal regulations governing workplace anti-drug and alcohol programs for the transit industry.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS:

SECTION 1. That the City Council hereby adopts the Zero Tolerance Substance Abuse Policy attached hereto as Exhibit "A" for the MTED program which is conducted by the Community Services Department.

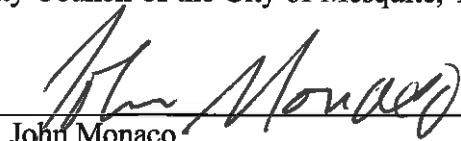
SECTION 2. That the standards hereby adopted shall be reviewed and revised as necessary in accordance with the requirements of the Federal Transit Administration of the U.S. Department of Transportation.

SECTION 3. That all ordinances or portions thereof in conflict with the provisions of this ordinance, to the extent of such conflict, are hereby repealed. To the extent that such ordinances or portions thereof are not in conflict herewith, the same shall remain in full force and effect.

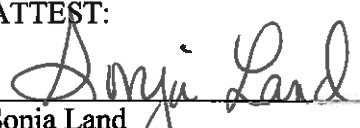
SECTION 4. That should any word, sentence, clause, paragraph or provision of this ordinance be held to be invalid or unconstitutional, the remaining provisions of this ordinance shall remain in full force and effect.

SECTION 5. That the need to formally adopt an MTED Zero Tolerance Substance Abuse Policy to protect the public interest, comfort and general welfare of the citizens of the City of Mesquite, creates an urgency and emergency for the preservation of the public health, safety and welfare, and requires that this ordinance shall take effect immediately from and after its passage.


DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 15th day of August, 2011.



John Monaco
Mayor

ATTEST:


Sonja Land
City Secretary

APPROVED:


B. J. Smith
City Attorney

CITY OF MESQUITE-Community Services

Division of Transportation for the Elderly and Disabled Zero Tolerance Substance Abuse Policy

1.0 POLICY

The City of Mesquite Transportation for the Elderly and Disabled Division (hereinafter referred as "MTED") is dedicated to providing safe, dependable, and economical transportation services to our MTED system passengers. The Community Services Department of the City of Mesquite has adopted this policy as the official policy of MTED. MTED employees are a most valuable resource, and it is our goal to provide a healthy, satisfying work environment. In meeting these goals, it is our policy to (1) assure that employees are not impaired in their ability to perform assigned duties in a safe, productive, and healthy manner; (2) create a workplace environment free from the adverse effects of drug abuse and alcohol misuse; (3) prohibit the unlawful manufacture, distribution, dispensing, possession or use of controlled substances; and (4) to encourage employees to seek professional assistance anytime personal problems, including alcohol or drug dependency, adversely affect their ability to perform their assigned duties.

2.0 PURPOSE

The purpose of this policy is to assure worker fitness for duty and to protect our employees, passengers, and the public from the risk posed by the misuse of alcohol and use of prohibited drugs. This policy is also intended to comply with all applicable Federal regulations governing workplace anti-drug and alcohol programs in the transit industry. The Federal Transit Administration (FTA) of the U.S. Department of Transportation has published 49 CFR Part 655, as amended, that mandate urine drug testing and breath alcohol testing for safety-sensitive positions and prohibits performance of safety-sensitive functions when there is a positive test result. The U. S. Department of Transportation (DOT) has also published 49 CFR Part 40, as amended, that set standards for the collection and testing of urine and breath specimens. In addition, the Federal government published 49CFR Part 29, "The Drug-Free Workplace Act of 1988," which requires the establishment of drug-free workplace policies and the reporting of certain drug-related offenses to the FTA. This policy incorporates those requirements for safety-sensitive employees and others when so noted.

A copy of these procedures may be obtained from the, MTED Manager, Human Resources Manager and City of Mesquite Risk Manager. The procedures are also available via the intranet under Human Resources – Select "Mesquite DAPM FTA Policy".

3.0 APPLICABILITY

This policy applies to all safety-sensitive MTED and Equipment Services Department employees (hereinafter referred to as employees) that operate, maintain, repair, dispatch or supervise the aforementioned activities. This includes paid part-time employees, contract employees, volunteers and contractors when they are on City of Mesquite property or when performing any transit-related safety-sensitive business. This policy applies to off-site lunch periods or breaks when an employee is scheduled to return to work.

Visitors, vendors, volunteers and contractor employees conducting safety-sensitive functions, related to MTED services, are governed by this policy while on City of Mesquite premises and will not be permitted to conduct business if found to be in violation of this policy.

A safety-sensitive function is any duty related to the safe operation of MTED transit service including the operation of a revenue service vehicle (whether or not the vehicle is in revenue service), dispatch, maintenance of a revenue service vehicle or equipment used in revenue service

4.0 PROHIBITED SUBSTANCES

"Prohibited substances" addressed by this policy include the following:

4.1 Illegally Used Controlled Substances or Drugs

The use of any illegal drug or any substance identified in Schedules I through V of Section 202 of the Controlled Substance Act (21 U.S.C. 812), as further defined by 21 CFR 1300.11 through 1300.15 is prohibited at all times unless a legal prescription has been written for the substance.

This includes, but is not limited to: marijuana, amphetamines, opiates, phencyclidine (PCP), and cocaine, as well as any drug not approved for medical use by the U.S. Drug Enforcement Administration or the U.S. Food and Drug Administration. Illegal use includes use of any illegal drug, misuse of legally prescribed drugs, and use of illegally obtained prescription drugs.

4.2 Legal Drugs

The appropriate use of legally prescribed drugs and non-prescription medications is not prohibited. However, the use of any substance, which carries a warning label that indicates that mental functioning, motor skills or judgment may be adversely affected, must be reported to a transit system supervisor. In addition, the employee must obtain a written release from the attending physician releasing the person to perform their job duties any time they obtain a performance-altering prescription.

A legally prescribed drug means that the individual has a prescription or other written approval from a physician for the use of a drug in the course of medical treatment. It must include the patient's name, the name of the substance, quantity/amount to be taken, and the period of authorization. The misuse or abuse of legal drugs while performing City business is prohibited.

4.3 Alcohol

The use of beverages containing alcohol or substances including any medication, mouthwash, food, candy or any other substance such that alcohol is present in the body while performing City business is prohibited. The concentration of alcohol is expressed in terms of grams of alcohol per 210 liters of breath as measured by an evidential breath-testing device.

5.0 PROHIBITED CONDUCT

5.1 Manufacture, Trafficking, Possession and Use

Safety-sensitive employees are prohibited from engaging in the unlawful manufacture, distribution, dispensing, possession or use of prohibited substances on transit authority premises, in transit vehicles, in uniform or while on transit authority business. Employees who violate this provision will be discharged. Law enforcement shall be notified, as appropriate, where criminal activity is suspected.

5.2 Intoxication/Under the Influence

Any safety-sensitive employee who is reasonably suspected of being intoxicated, impaired, under the influence of a prohibited substance, or not fit for duty shall be immediately suspended from job duties with pay pending an investigation and verification of condition. The determination that reasonable suspicion exists shall be based on specific, contemporaneous, describable observations concerning the appearance, behavior, speech, or body odors of the covered employee. A supervisor(s) or other company official(s) who is trained in detecting the signs and symptoms of drug use and alcohol misuse must make the required observations.

Employees found to be under the influence of a prohibited substance or who fail to pass a drug or alcohol test shall be immediately removed from duty and subject to termination based on

confirmed positive results as defined in 49 CFR Part 40, as amended. A drug or alcohol test is considered positive if the individual is found to have a quantifiable presence of a prohibited substance above the minimum thresholds defined in 49 CFR Part 40, as amended.

5.3 Alcohol Use

No safety-sensitive employee should report for duty or remain on duty when his/her ability to perform assigned safety-sensitive functions is adversely affected by alcohol or when his/her breath alcohol concentration is 0.02 or greater. No safety-sensitive employee shall use alcohol while on duty, in uniform, while performing safety-sensitive functions, or just before or just after performing a safety-sensitive function. No safety-sensitive employee shall use alcohol **within** four hours of reporting for duty, or during the hours that they are on call. Violation of **these** provisions is prohibited and punishable by termination.

5.4 Compliance with Testing Requirements

All safety sensitive employees will be subject to urine drug testing and breath-alcohol testing as a condition of employment. Any safety-sensitive employee who refuses to comply with a request for testing shall be immediately removed from duty, terminated from employment and referred to a SAP (Substance Abuse Professional).

Any safety-sensitive employee shall not use alcohol while on duty, in uniform, while performing safety-sensitive functions, or just before or immediately after performing a safety-sensitive function. Violation of these provisions is prohibited and punishable by termination.

Any safety-sensitive employee who is suspected by the collector during the specimen collection process of falsifying test results through tampering, contamination, adulteration, or substitution will be required to undergo an immediate observed second collection. Verification of these actions will result in the employee's immediate removal from duty and their employment terminated.

Refusal can include an inability to provide sufficient urine specimen or breath sample without a valid medical explanation, as well as a verbal declaration, obstructive behavior, or physical absence resulting in the inability to conduct the test, failure to permit the observation or monitoring of provision of sample when required, or failure to take a second test when directed. Any person who has been given a conditional job offer subject to pre-employment drug testing and leaves the testing site once testing has commenced shall be deemed to have refused the test.

Failure to undergo a medical examination or evaluation directed by the Medical Review Officer (MRO) shall constitute a refusal of a pre-employment test only if the pre-employment test is conducted after a contingent offer of employment.

Additionally, the following shall constitute a test refusal:

- Failure to appear for any test within a reasonable time, as determined by the employer, after being directed to do so by the employer, except a pre-employment test
- Failure to remain at the testing site until the testing process is complete
- Failure to provide a urine and/or breath specimen for any DOT required drug and/or alcohol test
- Failure to provide a urine and/or breath specimen for any non-DOT required drug and/or alcohol test
- Failure or declining to take a second test the employer or collector has directed you to take
- Failure to cooperate with any part of the testing process (e.g., refuse to empty pockets when so directed by the collector, behave in a confrontational way that disrupts the collection process)
- If the MRO reports that there is verified adulterated or substituted test result
- Failure to sign the certification at Step 2 of the Alcohol Test Form(ATF)

Drug tests can be performed any time a safety sensitive employee is on duty. An alcohol test can be performed when the safety sensitive employee is actually performing a safety sensitive duty, just before, or immediately after the performance of a safety sensitive duty.

5.5 Treatment Requirements

All employees are encouraged voluntarily to make use of the available resources for treatment for alcohol misuse and illegal drug use problems. Under certain circumstances, employees may be required to undergo treatment for substance abuse or alcohol misuse. Any employee who refuses or fails to comply with requirements for treatment, after care, or return to duty shall be subject to termination.

The cost of any treatment or rehabilitation services will be paid for directly by the employee or their insurance provider. Employees will be allowed to take accumulated sick leave and vacation leave to participate in the prescribed rehabilitation program. The provisions of this paragraph 5.5 apply to employees who voluntarily seek treatment prior to notification for a drug or alcohol test. Any employee with a positive test result will be subject to termination.

5.6 Notifying the Transit System of Criminal Drug Conviction

All safety-sensitive employees are required to notify the employer of any criminal drug statute conviction or arrest for a violation occurring in the workplace within five days after such conviction. Failure to comply with this provision shall result in disciplinary action, up to and including termination.

5.7 Proper Application of the Policy

The City of Mesquite is dedicated to assuring fair and equitable application of this substance abuse policy. Therefore, MTED and Equipment Services supervisors/managers are required to use and apply all aspects of this policy in an unbiased and impartial manner. Any supervisor/manager who knowingly disregards the requirements of this policy, or who is found to deliberately misuse the policy in regard to subordinates, shall be subject to disciplinary action, up to and including termination.

6.0 TESTING PROCEDURES

All safety-sensitive employees shall be subject to testing for pre-employment, for reasonable suspicion, and following a post accident as defined in Section 6.2, 6.3 and 6.4 of this policy.

All safety sensitive employees who voluntarily submit to a rehabilitation program prior to testing positive on a drug or alcohol test will be tested prior to returning to duty following completion of the Substance Abuse Professional's recommended treatment program. Follow-up testing will also be conducted following return to duty for a period of one to five years with at least six tests performed during the first year.

Those employees who perform safety-sensitive functions as defined in the attachment to this policy shall also be subject to testing on a random, unannounced basis.

Testing shall be conducted in a manner to assure a high degree of accuracy and reliability and using techniques, equipment and laboratory facilities, which have been approved by the U.S. Department of Health and Human Service (DHHS). All testing will be conducted consistent with the procedures put forth in 49 CFR Part 40, as amended.

The drugs that will be tested for include marijuana, cocaine, opiates, amphetamines and phencyclidine. An initial drug screen will be conducted on each urine specimen. For those specimens that are not negative, a confirmatory Gas Chromatography/Mass Spectrometry (GC/MS) test will be performed by a HHS-certified laboratory. The test will be considered positive if the amounts present are above the minimum thresholds established in 49 CFR Part 40, as amended. In instances where there is a reason to believe an employee is abusing a substance other than the five drugs listed above, the City reserves the right to test for additional drugs under the City's own authority, as defined in the City of Mesquite General Government Policies and Procedures Manual, and as amended. This additional testing will not be conducted on any specimen collected using DOT/FTA testing authority.

Tests for breath alcohol concentration will be conducted utilizing a National Highway Traffic Safety Administration (NHTSA)-approved testing device operated by a trained technician. If the

initial test indicates an alcohol concentration of 0.02 or greater, a second test will be performed by the BAT. The confirmatory test will be performed using an NHTSA-approved evidential breath testing device (EBT) operated by a trained breath alcohol technician (BAT). A safety-sensitive employee who has confirmed alcohol concentration of 0.02 or greater but less than 0.04 will be immediately removed from his/her position for eight hours unless a retest results in a concentration measure of less than 0.02.

The inability to perform safety-sensitive duties due to an alcohol test result of 0.02 or greater but less than 0.04 will be considered an unexcused absence, subject to MTED and City system disciplinary procedures. An alcohol concentration of 0.04 or greater will be considered a positive alcohol test in violation of this policy and a violation of the requirements set forth in 49 CFR Part 655 for safety-sensitive employees.

Any safety-sensitive employee that has a positive drug or alcohol test will be immediately removed from his/her position, terminated from employment, informed of available educational and rehabilitation programs, and referred to a Substance Abuse Professional (SAP) for assessment. The cost of any treatment or rehabilitation services will be paid directly by the employee.

The City affirms the need to protect individual dignity, privacy and confidentiality throughout the testing process.

Consistent with 49 CFR part 40 collection under direct observation (by a person of the same gender) with no advance notice will occur if:

1. The laboratory reports to the MRO that a specimen is invalid, and the MRO reports to Designated Employer Representative (DER) that there was not an adequate medical explanation for the result; or
2. The MRO reports to the DER that the original positive, adulterated, or substituted test result had to be canceled because the test of the split specimen could not be performed.
 - As an employer, ACC may direct a collection under direct observation of an employee if the drug test is a return-to-duty test or a follow-test.
 - The collector, must immediately conduct a collection under direct observation if:

The employee is directed by the DER to do so; or the employee's conduct clearly indicates an attempt to tamper with a specimen or

3. The collector observes materials brought to the collection site or the employee's conduct clearly indicates an attempt to tamper with a specimen or
4. The temperature on the original specimen was out of range

5. The original specimen appeared to have been tampered with.

6.1 Employee Requested Testing

Any safety-sensitive employee who questions the results of a verified positive required drug test or refusal to test because of adulteration or substitution under paragraphs 6.2 – 6.8 of this policy may request that the split sample be tested. This test must be conducted on a split sample that was provided by the employee at the same time as the original sample. The City and MTED will seek to reimburse the employee for all costs of such testing if the result of the split sample test invalidates the result of the original test. The method of collecting, storing and testing the split sample will be consistent with the procedures set forth in 49 CFR Part 40, as amended. The employee's request for a split sample test must be made to the Medical Review Officer within 72 hours of notice of the original sample verified test result. Requests after 72 hours will only be accepted if the delay was due to documented facts that were beyond the control of the employee.

6.2 Pre-Employment Testing

All MTED and Equipment Services safety-sensitive position applicants shall undergo urine drug testing immediately following the offer of employment or transfer into a safety-sensitive position. If any employee returns to a safety-sensitive position after having been removed from the transit system's random selection pool for 90 consecutive calendar days or more regardless of reason, he/she must be pre-employment drug tested. A verified negative result must be obtained by the City prior to safety-sensitive work.

Failure of a pre-employment drug test will disqualify an applicant for employment.

6.3 Reasonable Suspicion Testing

All MTED and Equipment Services safety-sensitive employees may be subject to a fitness for duty evaluation and urine and/or breath testing when there are reasons to believe that drug or alcohol use is adversely affecting job performance. A reasonable suspicion referral for testing will be made on the bases of documented objective facts and circumstances, which are consistent with the short-term effects of substance abuse or alcohol misuse.

Examples of reasonable suspicion include, but are not limited to, the following:

1. Physical signs and symptoms consistent with prohibited substance use or alcohol misuse which includes specific, contemporaneous, describable observations concerning the appearance, behavior, speech, or body odors of an employee.

Reasonable suspicion referrals must be made by one or more supervisors who are trained to detect the signs and symptoms of drug and alcohol misuse and conclude that an employee may be adversely affected or impaired in his/her work performance due to possible prohibited substance abuse or alcohol misuse.

6.4 Post-Accident Testing

All MTED and Equipment Services safety-sensitive employees will be required to undergo urine and breath testing if they are involved in an accident with an MTED vehicle (regardless of whether or not the vehicle is in revenue service) resulting in a fatality. This includes any surviving safety-sensitive employee that was operating the vehicle and any other employee whose performance could have contributed to the accident. In addition, a post-accident test will be conducted if an individual suffers bodily injury and immediately receives medical treatment away from the scene of the accident; or one or more vehicles incurs disabling damage.

In a non-fatal accident, the following safety sensitive employees will be tested: All covered employees operating the mass transit vehicle unless their performance can be completely discounted as a contributing factor based on the best information available at the time of the decision and all other covered employees whose performance could have contributed to the accident.

Following an accident, the safety-sensitive employees will be tested as soon as possible, but not to exceed eight hours for alcohol testing and 32 hours for drug testing. Any safety sensitive employee involved in an accident must refrain from alcohol use for eight hours following the accident or until he/she undergoes a post-accident alcohol test. Any safety-sensitive employee who leaves the scene of the accident without justifiable explanation prior to submission to drug and alcohol testing will be considered to have refused the test and their employment terminated. Employees tested under this provision will include not only the operations personnel, but also any other covered employee whose performance could have contributed to the accident.

Accident testing is delayed only while employee **assists** in resolution of the accident or receives medical attention following the accident.

MTED will attempt to complete the test within 2 hours of the accident; and if not able to obtain a specimen within 2 hours, file a report why not able and continue attempts to obtain specimen; and if not able to obtain a specimen in 8 hours, cease attempts to obtain a specimen and update the two-hour written report.

Whenever any MTED employee has been involved in an **accident** or receives an injury, alcohol and drug testing shall be conducted within eight (8) hours of the accident or incident when:

1. There is vehicle/equipment damage or bodily injury occurring on public roadways; or
2. There is a fatality; or
3. There is reasonable suspicion to believe that the employee's behavior or appearance may indicate alcohol or drug use; or
5. When an employee sustains a work-related injury requiring medical treatment.

6.5 Random Testing

Employees in MTED and Equipment Services safety-sensitive positions will be subject to random, unannounced drug and alcohol testing. The selection of safety-sensitive employees for random drug and alcohol testing will be made using a scientifically valid method that ensures that each covered employee will have equal chance of being selected. The random test will be unannounced and conducted at all times of the day when safety-sensitive functions are performed. Once an employee is notified of selection of a random drug or random alcohol test, he/she should proceed to the testing site immediately.

6.6 Return-to-Duty Testing

All MTED and Equipment Services safety-sensitive employees who previously voluntarily entered into a Rehabilitation Program as set forth in Paragraph 5.5 must test negative on a drug or alcohol test (below 0.02 for alcohol) on a return-to-duty test and be evaluated and released to duty by the Substance Abuse Professional before returning to work. Testing in this section is conducted by the City of Mesquite's Risk Management division using non-DOT testing forms.

6.7 Follow-Up Testing

MTED and Equipment Services safety-sensitive employees who previously voluntarily entered into a prescribed rehabilitation program will be required to undergo frequent, unannounced urine and/or breath testing following their return to duty. The follow-up-testing will be performed for a period of one to five years with a minimum of six tests to be performed the first year. Testing in this section is overseen by the Risk Management division, and administered by the ACC (approved collection center), using non-DOT testing forms.

6.8 Dilute Negative Policy

A dilute specimen is a specimen with creatinine and specific gravity values that are lower than expected for human urine. If a specimen test result is dilute negative, the Risk Management

division will not request the performance of retest, unless directed by the MRO. If the employee declines to take the retest, it is considered a test refusal.

6.9 Information Disclosure

1. The City of Mesquite's Human Resources Department (hereinafter referred to as Human Resources) shall release information regarding a covered employee's record as directed by specific, written consent from the employee authorizing release of the information to an identified person.
2. A covered employee is entitled, upon written request, to obtain copies of any records pertaining to his/her use of prohibited substances, including any records pertaining to test results.
3. Human Resources may disclose information that is required to be maintained to the decision maker in a lawsuit, grievance or other proceeding initiated by or on behalf of the employee tested.
4. When requested by the National Transportation Safety Board as part of an accident investigation, Human Resources shall disclose information related to its administration of drug and alcohol tests following the accident investigation.
5. Records shall be made available to subsequent employers upon receipt of written request from the covered employee.
6. Human Resources shall disclose data for its drug and alcohol testing program and any other information pertaining to its anti-drug program, when requested by the Secretary of Transportation or any DOT agency with regulatory authority over MTED.
7. To be considered for employment, all applicants will be asked to give consent to Human Resources for a background check of the applicant's previous DOT covered employer over the past two years. The information requested will include:
 - a. Alcohol test results of 0.04 or higher alcohol concentration.
 - b. Verified positive drug tests.
 - c. Refusals to be tested (including verified adulterated or substituted drug test results).
 - d. Other violations of DOT agency drug and alcohol testing regulations.

- e. With respect to any employee who violated a DOT drug and alcohol regulation, documentation of the employee's successful completion of DOT return-to-duty requirements (including follow-tests).

7.0 EMPLOYMENT ASSESSMENT

Any MTED and Equipment Services safety-sensitive employee who tests positive for the presence of illegal drugs or alcohol above the minimum thresholds set forth in 49 CFR Part 40, as amended, will be referred for evaluation by a Substance Abuse Professional (SAP). A SAP is a licensed or certified physician, psychologist, social worker, employee assistance professional or addiction counselor with knowledge of and clinical experience in the diagnosis and treatment of alcohol-related disorders. The SAP will evaluate each employee to determine what assistance the employee needs in resolving problems associated with prohibited drug use or alcohol misuse. Any cost of treatment will be paid solely by the employee.

All employees who test positive for the presence of illegal drugs or alcohol above the minimum thresholds set forth above will be terminated.

Employees who voluntarily submit to a rehabilitation program prior to testing positive on a drug or alcohol test will be allowed to take accumulated sick leave and vacation leave to participate in the prescribed rehabilitation program. Voluntary requests for treatment must be made prior to any pending drug/alcohol test or disciplinary action. The cost of any treatment or rehabilitation services will be paid directly by the employee or their insurance provider, if coverage exists.

8.0 RE-ENTRY CONTRACTS

MTED and Equipment Services employees who re-enter the workforce after voluntarily submitting to a rehabilitation program prior to testing positive on a drug or alcohol test must agree to a re-entry contract. That contract may include (but is not limited to);

1. A release to work statement from the Substance Abuse Professional.
2. A negative test for drugs and/or alcohol.
3. An agreement to unannounced frequent follow-up testing for a period of one to five years with at least six tests performed the first year.
4. A statement of work-related behaviors.

5. An agreement to follow specified after care requirements with the understanding that violation of the re-entry contract is grounds for termination.

9.0 EMPLOYEE AND SUPERVISOR TRAINING

All MTED and Equipment Services safety sensitive employees will undergo a minimum of 60 minutes of training on the signs and symptoms of drug use including the effects and consequences of drug use in personal health, safety, and the work environment. The training must also include manifestations and behavioral cues that may indicate prohibited drug use.

MTED and Equipment Services Supervisors will also receive 60 minutes of reasonable suspicion training on the physical, behavioral, and performance indicators of probable drug use and 60 minutes of additional reasonable suspicion training on the physical, behavioral, speech, and performance indicators of probable alcohol misuse.

10.0 SYSTEM CONTACT

Any questions regarding this policy or any other aspect of the drug-free and alcohol-free transit program should contact the following transit system representative:

Program Manager:

Name: Charles Gillenwater
Title: Risk Manager
Address: City of Mesquite
 1515 N. Galloway
 Mesquite, TX 75149
Phone: 972.216.8168
Fax: 972.216.4106

Medical Review Officer:

Name: Dr. Timothy Lambert, M.D.
 CareNow Medical Center
Address: 565 W. I-30
 Garland, TX 75043
Phone: 972.303.3030
Fax: 972.240.1223

Substance Abuse Professional Referral by EAP:

Name: Workers Assistance Program, Inc.
Address: 2525 Wallingwood Dr., Bldg. 5
 Austin, TX 78746
Phone: 512.328.8519

CITY OF MESQUITE

11.0 FTA - Safety-Sensitive Functions at City of Mesquite

MTED and Equipment Services Department Positions as identified in the Pool for related Drug Testing under 49 CFR part 40, as amended.