



CITY OF DUBLIN

**CITY OF DUBLIN  
ADMINISTRATIVE ORDERS  
OF THE CITY MANAGER**

<b>ADMINISTRATIVE ORDER 2.40</b>	
<b>TO:</b>	All Department/Division Heads
<b>FROM:</b>	Jane Brautigam, City Manager
<b>SUBJECT:</b>	Pre-Employment Drug Testing Program
<b>DATE:</b>	March 27, 2007 ( <b>Review Date:</b> _____ <b>By:</b> _____ )
<b>Supersedes and Replaces Administrative Order 2.40 dated 11/26/01 Regarding Same Subject.</b>	

**I. PURPOSE & SCOPE**

In an effort to promote and maintain a safe and healthy working environment for all City Employees, protect the public health, safety, and welfare and, uphold the public confidence in the work performed by City employees, the City has determined that a Pre-Employment Drug Testing Program should be established. The purpose of this Administrative Order is to establish such a program; to publish and communicate the City's policy statement regarding Pre-Employment Drug Testing; to establish procedures for conducting such testing; and to provide direction and guidance to Department/Division Heads regarding the Program.

This Administrative Order shall be applicable to the selection and appointment of personnel to all Full and Part-Time Permanent Positions, Full & Part-Time Seasonal Positions, and Full & Part-Time Temporary Positions. This Administrative Order shall be strictly enforced by the Director of Human Resources who shall also be responsible for the administration of the Pre-Employment Drug Testing Program. Questions regarding this Administrative Order should be directed to the Office of the City Manager or the Division of Human Resources.

**II. POLICY**

It shall be the Policy of the City of Dublin that prior to the appointment of any candidate to any one of the aforementioned position types, the candidate shall be required to submit to and successfully pass a urinalysis to detect the presence of illegal drugs in his/her system. The focus of the Pre-Employment Drug Testing Program shall also include the detection of drugs which although legal may have been obtained and used illegally.

It shall also be the policy of the City of Dublin not to appoint any candidate who refuses to consent to testing, any candidate who engages in conduct which obstructs the testing process

(e.g. using masking agents or other substances to adulterate or dilute specimens; tampering in anyway with specimens or substituting specimens; refusing to provide valid specimens, etc.); any candidate whose test results are confirmed to be positive for the presence of illegal drugs or legal drugs for which the candidate cannot submit sufficient proof that such drugs were legally obtained and used. Any candidate whose receives a test result of “dilute negative” must be re-tested within 24 hours after the City receives the test result. If the candidate receives a second test result of “dilute negative, they will be automatically disqualified from the hiring process.

Prior to the testing of any candidate, the candidate shall be advised that a drug test is a required part of the City's selection process and that said test will be administered only after the extension of a conditional offer of employment; that after the extension of said conditional offer, he/she shall be required to submit to and successfully pass such a test in order to be appointed; that the test shall screen for the presence of drugs in his/her bodily fluids; that he/she shall be provided the opportunity to identify any recent legally pre-scribed drug use which might be detected in the test results (such explanation shall be sought and accepted only after the candidate has been extended a conditional offer of employment); and that he/she is required to complete the section of the City of Dublin Employment Application which authorizes the test results to be released to City of Dublin Personnel.

It shall also be the policy of the City of Dublin that all candidates shall be notified of the results of the drug testing phase of the selection process as well as their status for employment eligibility. Any explanation a candidate may have as to why a positive test result was obtained shall be carefully considered. All candidates shall be assured that the City of Dublin is not accusing them of using drugs and that a positive reading does not necessarily indicate drug usage, but that it is simply the policy of the City of Dublin not to appoint any candidate who tests positive for anything other than legally prescribed drugs.

Candidates whose test results are confirmed to be positive and who present medical proof that they are addicted to drugs shall be advised that they will be reconsidered for employment upon demonstrating that they have successfully completed a rehabilitation program and they are not currently engaging in the use of illegal drugs.

It is further the policy of the City of Dublin that great care shall be exercised in maintaining drug testing records and that such records (including drug test results) shall be released to individuals outside the organization only when the City is obligated to do so by applicable law.

### **III. DRUG TESTING PROCEDURES**

Pre-employment drug testing shall be conducted in the following manner:

- A. No candidate shall be administered a drug test until he/she has been extended a conditional offer of employment; the conditional nature of the offer shall be that final appointment to a position within the City of Dublin is contingent upon successful passage of a drug test.
- B. After notifying a candidate that he/she will be appointed contingent upon passage of a drug test, and only after he/she has consented to testing, he/she shall be directed to an authorized collection site where, after showing proper identification, a urine specimen shall be collected. Sites authorized for the collection of specimens shall be selected at the sole discretion of the Director of Human Resources. (If at this point in the collection process, a candidate should engage in conduct which obstructs the collection process (e.g. tampering with specimens,

substituting specimens, refusal to provide valid specimens, etc.), such conduct shall be considered as a “refusal to submit to testing” and the City shall be so notified. Such “refusal to submit to testing” shall result in the candidate’s immediate disqualification from the hiring process.)

- C. After a valid specimen has been provided by the candidate, the specimen shall then be forwarded to a DHHS (Department of Health and Human Services) certified laboratory for testing and analysis. Laboratories selected for testing and analysis shall be selected at the sole discretion of the Director of Human Resources.
- D. In screening for the presence of drugs, generally accepted screening procedures shall be used and the threshold level for determination shall be established in accordance with generally accepted medical procedures and existing laws and/or regulations. (If at this point in the screening process, masking agents are detected in the specimen, such shall be considered as a “refusal to submit to testing” and the City shall be so notified. Such “refusal to submit to testing” shall result in the candidate’s immediate disqualification from the hiring process.) If the presence of drugs is found in the specimen, that specimen shall be submitted for further verification (confirmatory) testing.
- E. After the initial screening and confirmatory screening (if applicable) have been completed (and the candidate has not been disqualified for the reasons stated in paragraph B. or C. above), the results shall be provided to the Director of Human Resources, or his/her designee. Should the results be “negative”, the candidate shall be so notified and the candidate shall proceed in the hiring process. Should the results be “positive”, the candidate shall be immediately disqualified from the hiring process. Should the results be a “dilute negative”, the candidate shall be so notified and shall be required to repeat the testing procedure within 24 hours; the result of the second test shall then become the test of record. Should the candidate decline to repeat the testing procedure because of a “dilute negative” result on the first test, such shall constitute a “refusal to submit to testing”, which shall result in the candidate’s immediate disqualification from the hiring process. Should a second “dilute negative” result be received by the City, the candidate shall be disqualified from the hiring process. Should a “dilute positive” result be received by the City on the first or second test, such shall be considered as a “verified positive test”, which shall result in the candidate’s immediate disqualification from the hiring process.

#### **IV. EFFECTIVE DATE**

This Administrative Order shall be effective immediately.



**City of Dublin**  
**Pre-Employment Drug Testing Consent Form**  
**(Minors)**

P-32 M (Est. 1-15-93)

(This form shall be completed by the parent or legal guardian of any candidate whether under the age of 18.)

I, \_\_\_\_\_, understand that, \_\_\_\_\_,  
(Name of Parent/Legal Guardian) (Name of child or ward)

my child or ward, as a candidate for employment with the City of Dublin must, in order to be appointed to a position with the City of Dublin, submit to and successfully pass a urinalysis to detect the presence of drugs in his/her system. In addition, I understand that my child or ward will only actually be administered such a test after receiving a conditional offer of employment. I also understand that, as my child's or ward's parent or legal guardian, I must give my consent for my child or ward to participate in such a test. I further understand that my child's or ward's application for employment will be rejected if I decline to give my consent and thereby decline to have my child or ward participate in said urinalysis or if my child's or ward's test results are confirmed to be positive for the presence of illegal drugs or legal drugs for which I as a parent or legal guardian of my child or ward cannot submit sufficient proof that such drugs were legally obtained and used.

I, as my child's or ward's parent or legal guardian, hereby knowingly and voluntarily give my consent for my child or ward to participate in a substance abuse urinalysis and authorize the City of Dublin to conduct, through its designated medical examiner(s), said urinalysis on my child or ward. In addition, as my child's or ward's parent or legal guardian, I authorize the medical examiner(s) to release any and all information regarding my child's or ward's test(s), including its/their results, to the City of Dublin and its representative. I, as my child's or ward's parent or legal guardian, further release the City of Dublin, its officers, directors, employees, agents, representatives from any and all claims, suits, causes of action, liability, and damages arising from giving my consent to have my child or ward participate in the urinalysis and from the information obtained from the test(s).

\_\_\_\_\_  
Signature of Candidate's Parent or Legal Guardian Date

\_\_\_\_\_  
Signature of Witness Date

I refuse to give my consent for my child or ward to participate in a urinalysis.

\_\_\_\_\_  
Signature of Candidate's Parent or Legal Guardian Date

\_\_\_\_\_  
Signature of Witness Date



CITY OF DUBLIN