



CITY OF DUBLIN

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

ADMINISTRATIVE ORDER 3.16
TO: All Non Union Personnel and Members of the United Steelworkers Bargaining Unit
FROM: Marsha I. Grigsby, City Manager
SUBJECT: Nicotine Testing Program
DATE: May 18, 2011
New Administrative Order

I. INTRODUCTION & PURPOSE

In an effort to promote and encourage our employees to develop healthier lifestyle behaviors and create a standard of conduct for City employees that is consistent with the City’s Healthy by Choice Plus Benefits program, the City has determined that an employee nicotine testing program should be established. The purpose of this Administrative Order is to establish such a program; to implement procedures governing the administration of the program; and to publish a policy statement regarding the establishment of the program.

The City implemented a Consumer Driven Health Plan with a Health Savings Account (HSA) for the plan year beginning January 1, 2011. The benefit plan, Healthy by Choice Plus, provides participation-based and results-based wellness incentives to help offset the employee deductible amounts under this new plan design. Each employee has the opportunity to earn results-based wellness incentives in relation to four key health factors (blood pressure, cholesterol, body mass index/waist circumference, non-tobacco use) in the form of additional financial contributions to their Health Savings Accounts (HSA’s). Each employee who participates in the plan and receives a financial contribution based on non-tobacco use, has signed an affidavit certifying that they are currently tobacco free and has been for the past 12 months.

This Administrative Order shall be applicable to all Non Union Personnel and the United Steel Workers Bargaining Unit of the City who have voluntarily signed up for the Healthy by Choice Benefit plan, and who have turned in an affidavit certifying they are currently tobacco free and have been for the past 12 months. Questions regarding this Administrative Order should be directed to the Division of Human Resources.

II. POLICY

It shall be the policy of the City of Dublin that, City employees who have voluntarily agreed to participate in the Healthy by Choice Plus Benefit program, and have voluntarily submitted an affidavit during the open enrollment period stating that they are tobacco free shall be required as a condition of the Healthy by Choice Plus Benefit program, to submit to random nicotine testing (the City shall deem the most appropriate test) to detect the presence of nicotine in their system. Random nicotine testing is described as follows:

Random testing: A minimum number of employees annually may be randomly selected using a scientifically valid method in which each employee will have an equal chance of being tested each time selections are made. The dates for testing shall be unannounced and spread throughout the calendar year. When an employee is selected for testing, he/she shall proceed to the test site immediately.

Employees are hereby advised that if required to submit to testing, failure to consent to the testing will result in the loss of their eligibility for the incentive contribution for being tobacco free for the following calendar year. The incentive contribution is deposited into a Health Savings Account on January 1st of each calendar year based on a signed affidavit stating they are currently tobacco free and have been for the past 12 months.

Employees who have been found, through the testing procedures identified in Section III. of the Administrative Order, to have been tested for evidence of nicotine will result in the loss of their eligibility for the incentive contribution for being tobacco free for the following calendar year.

Employees, who during the open enrollment period, turned in a physician statement that was verified through the UHC medical director saying it was unreasonably difficult due to a medical condition to meet the requirements under this program, or stated it was medically inadvisable for them to meet the requirements of the program, are exempt from these testing requirements.

III. NICOTINE TESTING PROCEDURES

Nicotine testing shall be conducted in the following manner:

- A. When circumstances arise which require nicotine testing, the Director of Human Resources, or, his/her designee, shall designate the City's TPA to conduct random nicotine testing for employees who voluntarily participate in the Healthy by Choice Plus program and who have turned in a signed tobacco-free affidavit.

- B. In screening for the presence of nicotine generally accepted screening procedures shall be used.
- C. When screenings are performed, the threshold level for determination shall be established in accordance with generally accepted medical procedures.