



City of Pittsburgh
Operating Policies

Policy: Fire Bureau Random Drug Testing Program	Original Date: 05/01/2010
	Revised Date: 09/12/2013

PURPOSE:

To ensure that the Public Safety, Bureau of Fire uniformed service personnel understand and abide by the prescribed procedures of the randomized drug testing program.

POLICY STATEMENT:

The following policy is in accordance with the bargaining agreement language between the City of Pittsburgh and the Pittsburgh Firefighters Local No. 1 International Association of Firefighters with regard to the random drug testing of Fire Bureau uniformed service personnel.

Disclaimer: No statements in this policy are intended or set forth as modifications to the collective bargaining agreement. If there are substantive differences between the collective bargaining agreement and this policy, the collective bargaining agreement takes precedence.

DEFINITIONS:

Testing Agency – The City of Pittsburgh’s currently contracted Civil Service medical provider agency.

Employee Assistance Program – The City of Pittsburgh’s currently contracted Employee Assistance Program provider agency.

POLICY:

All Bureau of Fire uniformed service personnel will receive a comprehensive and standardized training on the program via a video presentation. The training will be offered to all members prior to implementation of the program and then offered to new members during their new employee orientation.

The training will consist of the following subject areas.

- A. Introductions
 - a. Fire Chief
 - b. Union President
- B. *Employee Assistance Program*
 - a. Dangers and Consequences of Drug Abuse in the Workplace
 - b. Awareness
 - c. Self-Referral
 - d. Confidentiality
- C. Personnel & Civil Service Commission
 - a. Assignment of Random Numbers and the Monthly Drug Testing Selection Report
 - b. Procedures for Selection of the Units to be Tested Each Month
- D. Testing Agency
 - a. Random Testing Procedures
 - b. Test Determinations
 - c. Testing Reliability
- E. *Employee Assistance Program*
 - a. Intervention and Track III Program
- F. Closing Remarks
 - a. Fire Chief
 - b. Union President

Procedures for Selection of the Units to be Tested Each Month

1. Every month six Units will be selected and drug tested based on the assigned random numbers of 1 through 6 for the given month and each Unit will go for drug testing on six different dates in the given month. Therefore, approximately 288 random drug tests will be conducted each year. It is important to note that this does not mean that 288 different individuals will be tested each year; but rather 288 tests will be completed. Individuals may be tested more than one time per year, depending on the randomization process.
2. After the monthly report is printed, the Department of Personnel and Civil Service liaison will be responsible for arbitrarily selecting the six dates during that month to conduct the drug testing and the liaison will contact the Testing Agency to secure six dates. The liaison will select the six dates to ensure that a cross section of Platoons will be tested.
3. Every month, at 9:00 a.m. or 4:00 p.m., on each of the six selected dates of drug testing, the Department of Personnel and Civil Service liaison will contact the Fire Bureau Administration liaison and inform him/her the Unit to be sent for testing that day and the scheduled time that day at the Testing Agency.

A.) Daytime Testing: The Fire Bureau Administration liaison will supply the Department of Personnel liaison with the names of the four individuals of the selected

Unit on duty that day. Since suppression units must present themselves within an hour of notice, the Fire Bureau Administration liaison will notify and inform the Deputy Chief with the names of the four individuals who are to present themselves for testing an hour before the scheduled time at the Testing Agency. The Testing Agency will be accommodating within that hours' timeframe. Please note that if the selected Unit is out of quarters at an incident at the time they are scheduled to go to the Testing Agency, the Fire Bureau Administration liaison will be responsible to notify the Unit to report for testing after they have returned to quarters that day, and will notify the Department of Personnel and Civil Service liaison so that the Testing Agency may be advised accordingly.

B.) Evening Testing: The Fire Bureau Administration liaison will inform the Fire Chief of the Unit to be sent for evening testing (6:00 p.m.). NOTE: The Unit's members will not be supplied to the Department of Personnel liaison for evening testing; however the next morning the Department of Personnel liaison will contact the Testing Agency to retrieve the names of the Unit members who showed for testing. The Department of Personnel liaison will contact the Fire Bureau Administration liaison to verify that the members who showed at the Testing Agency were the correct Unit members based on the previous day's payroll. NOTE: Only suppression units will be subject to evening testing. Since suppression units must present themselves within an hour of notice, the Fire Chief (or Assistant Chief, in the Chief's absence) will notify and inform the Deputy Chief with the names of the four individuals who are to present themselves for testing an hour before the scheduled time at the Testing Agency. The Testing Agency will be accommodating within that hours' timeframe. Please note that if the selected Unit is out of quarters at an incident at the time they are scheduled to go to the Testing Agency, the Fire Chief (or Assistant Chief in the Fire Chief's absence) will be responsible to notify the Unit to report for testing after they have returned to quarters that day, and will notify the Testing Agency accordingly.

4. Units will be placed out of service for their drug testing and they should arrive at the Testing Agency with either their City ID or Driver's License and follow all of the instructions given by the Testing Agency staff. Refusing to provide a specimen will be considered a refusal to test. Also failing to comply with the directions of the Testing Agency staff will be reported to the employer as a refusal to test. After the testing, the Unit will be placed back in service and return to their work location.
5. Drug test results will be reported confidentially by the Testing Agency to the Department of Personnel and Civil Service liaison. Negative drug results will go unannounced whereas the Department of Personnel and Civil Service liaison will contact the Fire Bureau Chief and/or his designee of all positive drug results and follow that up with a letter to the Fire Chief. The appropriate course of action taken for positive drug results will be in accordance with the language in the collective bargaining agreement.

6. All monthly selection reports will be kept confidential in the locked assessment offices in the Department of Personnel and Civil Service Commission for a two year period. In addition, all drug testing results, as reported back to the Department of Personnel from the Testing Agency, will be kept confidential and locked.

Procedures for Testing at the Testing Agency

1. When you receive notification that you have been selected for random testing you must report to the testing site immediately. You must arrive at the site within one hour of notification.
2. The collector will ask you for some information to complete a Chain of Custody form. You will be asked for your name and Social Security number or employee identification number. The Chain of Custody form is a five page form. The first page is sent to the laboratory with your urine specimen. The second goes to the Medical Review Officer. The third stays at the collection site. The fourth goes to the employer and the fifth will be given to you before you leave the collection site.
3. Instructions for completing the Chain of Custody form are on the back of the form.
4. Once the chain of custody form is complete, the collector will ask you to remove unnecessary clothing. The collector will also ask you to remove everything from your pockets. You will be allowed to take your wallet and your money into the restroom with you. Any other items must remain on the desk.
5. After you've washed your hands you're ready to give the sample in the restroom nearby. There will be bluing in the toilet water to prevent tampering (adulteration, alteration or dilutions) of your urine specimen. The water supply will be turned off.
6. You will have up to four minutes to provide a urine sample of 45 milliliters. When you have your sample you will give the cup to the collector. The collector will look at the contents of the cup to be sure there's at least 45 milliliters, the temperature is within a normal range, and that it's an acceptable color.
7. If everything appears to be in order, the collector will pour 30 milliliters into one of the specimen containers and 15 milliliters into the other. The security seals will be placed over the transport bottle lids and you will sign and the collector will date each one. Your specimen and the first page of the Chain of Custody form will be placed in the transport bag and sealed and sent to a certified Substance Abuse Mental Health Services Administration laboratory for testing. You will fill out the second page of the Chain of Custody form with your signature, printed name, date of collection, day and evening telephone numbers, and date of birth. The collector will give you the last page of the form for your records.
8. At that point you are finished with your random testing procedure and may return to work.
9. **Occasionally there are problems with producing a test sample.** If you have a valid medical explanation for not producing a test sample you will have another opportunity to test. Otherwise, you will be considered as having refused to perform the test.

The following conditions are considered a Refusal to Test:

- If you leave your work site after being notified to report for a random test.
- If you fail to report to the testing site immediately.
- If you appear at the testing site but refuse to provide a sample.
- If you refuse to follow instructions at the collection site or become argumentative or obstructive of the testing process.
- If you fail to cooperate with the requirement to empty your pockets or to wash your hands.
- If you tamper with your sample.
- If you cannot provide a 45 milliliter sample within three hours after drinking up to 40 ounces of water and you do not have a valid medical explanation for this failure.
- If you fail to undergo a medical evaluation when directed by the Medical Review Officer to verify a failure to urinate.
- If you fail to submit to another collection process if required.
- If you fail to permit direct observation of urination when required.

Direct Observation is required if your specimen is not within the prescribed temperature range or if your specimen is the wrong color or otherwise appears to be impure or adulterated. Direct Observation is done by someone of your gender. Direct Observation is done according to the procedures described in DOT regulations.

A refusal to test is reported to your employer as a refusal to test.

Specimen Testing

1. When the specimen is received in the laboratory, the laboratory technologists will inspect the Chain of Custody and Control form and ensure that all security seals are intact. The specimen will also be inspected for contamination and adulteration. Physical parameters of the specimen will be measured to verify if it is a valid human specimen and to determine if the specimen is dilute. If the test is reported negative for drugs and dilute another urine test may be required.
2. If everything is in order, the laboratory will run the tests on the specimen. If any of the drugs being tested for are in the specimen above cutoff levels, the test is considered to be positive.
3. If the test screens positive, a confirmation test will be run using gas chromatography – mass spectrometry or GC-MS. /The GC-MS is a method used to combine the features of gas-liquid chromatography and mass spectrometry to identify different substances within a test sample. It has been considered the “gold standard” for forensic substance identification because it identifies the exact drug. This test is the most sensitive and accurate drug test available.

Reporting Drug Test Results

1. All test results will be given to the Designated Employee Representative (DER) of the City of Pittsburgh. If the test is negative, the results will be filed in your file. The lab will give all confirmed positive results to the City's Medical Review Officer to be reviewed and interpreted. The Medical Review Officer will contact you directly on a confidential basis to determine if you wish to discuss the test result. The Medical Review Officer may order a physical examination to be done on the employee. If appropriate medical documentation is provided and the Medical Review Officer determines that the positive test is a result of the legitimate medical use of the prohibited drug, the drug test is reported as negative.
2. If the Medical Review Officer is unable to reach you directly, the Medical Review Officer will contact the Designated Employee Representative who will inform you that you must contact the Medical Review Officer as soon as possible, but no later than 72 hours. If neither the Medical Review Officer nor the Designated Employee Representative is able to reach you and five days have passed since the Medical Review Officer received the results, the Medical Review Officer will verify the test result as positive.

Questioning the Results

If you question the results of a drug test you have seventy-two hours from the time you are notified of the results to ask the Medical Review Officer to authorize the release of your second sample vial for testing – the second container holding fifteen milliliters of urine. That container is used for what's called "split testing". This second test on the second container of urine is performed at a different laboratory. You are responsible for paying the cost for this second test including all shipping and testing costs. You must pay the Testing Agency for shipping and testing costs before the laboratory will ship the specimen. If the results of the split sample are different from or invalidate the original testing results, the City will reimburse you for these costs.