

RESOLUTION No. 2014-14

A Resolution providing for certain amendments to the Personnel Policies Handbook of the Muncie Sanitary District first adopted March 9, 2010 concerning Section 5.8 PROHIBITED CONDUCT.

Whereas, the Board of Sanitary Commissioners (the "Board") has heretofore adopted Resolution No. 2014-14 the Personnel Policies Handbook of the Muncie Sanitary District, dated March 9, 2010 (the "Personnel Policies Handbook"); and

Whereas, the Board wishes to modify that section of the Personnel Policies Handbook which deals with the Muncie Sanitary District's prohibited conduct relating to drug-free workplace Federal Motor Carrier Safety Regulations/safety sensitive positions drug and alcohol policy that were previously enacted on September 4, 2012, Resolution No. 2012-24.

BE IT THEREFORE RESOLVED, that the Board of Sanitary Commissioners does hereby adopt the following amendments to the Personnel Policies Handbook:

1) CHAPTER 5-WORKING CONDITIONS, SECTION 5.8, DRUG-FREE WORKPLACE Federal Motor Carrier Safety Regulations/Safety Sensitive Positions Drug And Alcohol Policy, shall be amended by striking from that section the current language and substituting for that language the following paragraphs to read as follows:

"The Muncie Sanitary District's drug and alcohol program administrator designated to monitor, facilitate, and answer questions pertaining to these procedures is the Health Care Administrator.

Prohibited Conduct

The following shall be considered "prohibited conduct" for purposes of this policy.


1. No employee shall report for duty or remain on duty requiring the performance of safety-sensitive functions while having an alcoholic concentration greater than .00. An employee is considered to be performing a safety-sensitive function if he/she is actually performing, ready to perform, or immediately available to perform any of the following on-duty functions:
 - a. All time spent at a facility waiting to be dispatched;
 - b. All time inspecting, servicing, or conditioning any commercial vehicle in operation;
 - c. All driving time or time spent at the driving controls of a commercial vehicle in operation;
 - d. All time spent loading or unloading a vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, including completing of any related paperwork; and remaining in readiness to operate the vehicle;
 - e. All time performing those duties required of an employee involved in a vehicle accident; or
 - f. All time spent repairing, assisting, or attending to a disabled motor vehicle;
2. No employee shall be on duty or operate a commercial vehicle while the employee possesses alcohol.
3. No employee shall use alcohol while performing safety-sensitive functions.
4. No employee required to take a post-accident test shall use alcohol for eight (8) hours following the accident or until he or she undergoes a post-accident test, whichever occurs first.

5. No employee shall refuse to submit to a post-accident, random, reasonable suspicion, return-to-duty, or follow-up alcohol or drug test.
6. No employee shall report for duty or remain on duty when the employee uses any controlled substance, except when the use is pursuant to the written instruction of a physician who has advised the employee that the substance will not adversely affect their ability to safely perform their duties. The employee must provide the Muncie Sanitary District with proof of such medical advice. The Muncie Sanitary District can decide if the employee can remain at work or on the Muncie Sanitary District premises and what work restrictions, if any, are deemed necessary."


2) EFFECTIVE DATE, This Resolution shall become effective on and after its passage and shall remain in full force and effect until amended or repealed by this Board.

THIS RESOLUTION APPROVED this 21st day of August, 2014, by the Board of Sanitary Commissioners of the Muncie Sanitary District.

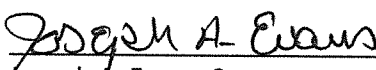
BOARD OF SANITARY COMMISSIONERS:



William B. Smith, President



Michael R. Cline, Vice President



Joseph A. Evans, Secretary