


POLICY 409	DRUG TESTING POLICY	
	REVISED: 6/97, 08/18, 04/21, 08/23	RELATED POLICIES:
	CFA STANDARDS: 27.03	REVIEWED: AS NEEDED THIS VERSION PUBLISHED: 09/13/2023

A. PURPOSE:

The Fort Lauderdale Police Department has the responsibility to provide the community with the highest level of police services and to ensure that its employees have the physical and mental abilities to perform their assigned duties. Therefore, in order to insure the integrity of the department and to preserve the public trust and confidence, this department has implemented the following drug-testing policy to ensure a drug-free work-place.

B. POLICY:

1. It is the policy of the Fort Lauderdale Police Department that the Chief of Police may for any reason, or at random, require certified police officers (all ranks) to submit to a chemical drug test. Employees who are in positions covered by a collective bargaining agreement are governed by the terms and conditions of that agreement including chemical drug testing. Employees who are not in positions covered by a collective bargaining agreement are governed by the City's Personnel Rules.

2. The City reminds individuals that this drug-testing policy is in addition to any and all other City policies and procedures related to drug use. Individuals are subject to such other City policies, including testing provisions and penalties for policy violations, in addition to those described in this policy.

For example, certain positive drug test results or other violations of this policy may result in consequences required by the City, but also may result in disciplinary action, up to and including discharge, under the City's authority as described in other City policies and procedures.

3. The application of this policy with respect to drug testing does not abridge anything included in a union contract; nor does it infringe upon an employee's right to redress under grievance or other applicable proceedings.

C. PROCEDURES:

1. The department will test individuals for drug use in the situations and circumstances described in one of the two manners (“Random” or “With Cause”) enumerated below. All drug testing performed on individuals will be in compliance with established procedures. These include the use of special testing forms, trained personnel, and special processes and handling to ensure the integrity and accuracy of the testing process.

2. Drug-testing includes taking urine samples which are sent to federally certified testing laboratories to test for the presence of substances as stated in the member's collective bargaining unit contract. Positive test results will be reviewed by a Medical Review Officer (MRO), who is a qualified physician, to determine if the individual has a legitimate medical explanation for a positive test result. When a urine test indicates the presence of a drug, a second test will be conducted using the same sample to confirm the results of the first test. The Fort Lauderdale Police Department will not be notified in the case of a positive result unless the second test also proves positive.

D. DRUG TESTING:

1. Drug Testing - Random
 - a. The department's drug-testing agent will select candidates for random drug testing by using a random selection process that is based upon the Cyborg Employee Number (CEN) numbers of all sworn police officers and managers. The Fort Lauderdale Police Department will submit the CEN numbers of the sworn police officers and managers of the Police Department to the testing agent.
 - b. No employee may be required to submit to a random test more than once a year.
 - c. Twice a calendar year (biannually), the testing agent will randomly select up to 10% percent each time the drug-test is completed, totally 20% for that calendar year. The total number of sworn police officers and managers to be tested will not exceed 20%.
 - d. The Commander of Internal Affairs shall be responsible for coordinating all drug-testing results.
 - e. Biannually, the department Drug-Testing Coordinator will be notified by the testing agent which CEN numbers have been selected for testing.
 - f. The department Drug-Testing Coordinator will be responsible for notifying the employee, in writing, that he/she has been selected for random drug-testing and the location to which the employee must proceed for testing.
 - g. Employees will be notified and tested during duty hours.
 - h. At the time of notification the employee will respond as directed to the office of the drug-testing agent.

2. Drug Testing – With Cause

Any time that the department has reasonable suspicion that an employee is using illegal drugs or controlled substances, the employee shall, when ordered by the Chief of Police, submit to a chemical drug test.

3. After Hours Drug Testing:

For testing to be performed after business hours at SECOND PARTY'S locations, the CITY, through its Primary City Contact or his/her designee, shall call the SECOND PARTY'S subcontractor 24-hours telephone number (954) 467-2140, an answering service will gather the following information: location of the Primary City Contact, location where the testing is required to occur, and the telephone number where the Primary City Contact can be reached within fifteen (15) minutes. SECOND PARTY's medical technician will speak to the Primary City Contact directly and inquire about the specific testing circumstances and decide which location would be most appropriate to meet to conduct the testing. The employee to be tested shall meet the qualified SECOND PARTY technician at the agreed-upon testing site, and testing shall be conducted in accordance with this Agreement, the Act, and all implementing regulations¹

E. TESTING METHODOLOGY:

1. Testing shall be conducted in a manner to assure the highest degree of accuracy and reliability and using techniques, equipment, and laboratory facilities which have been certified by the U.S. Department of Health and Human Services (DHHS). All testing will be conducted with the procedures set forth in Chapter 59A-24, "Drug-Free Work-place Standards", of the Florida Administrative Code, as amended.
2. All testing results for prohibited drugs must be verified by the Medical Review Officer (MRO). The MRO is a licensed physician whose qualifications include a demonstrated knowledge of substance-abuse disorders and who has appropriate medical training to interpret and evaluate an individual's confirmed positive drug result together with his or her medical history and any other relevant biomedical information. Any employee may request that a representative accompany him/her to the collection site. The absence of such representation does not, by itself, negate or mitigate the requirement to provide specimens for required drug-testing.
3. State drug-free work-place standards regarding procedural controls and accounting mechanisms imposed upon the collection site, processing laboratory, the MRO, and the City with respect to testing for prohibited drugs will be followed. These procedures require the use of tamper-proof specimen containers for urine samples, employee certification of specimen "ownership," use of chain-of-custody documentation, regimented quality control standards, blind samples (for urine

¹ Agreement for Occupational Medical and Drug and Alcohol testing programs between City of Fort Lauderdale and Occupational Health Centers of the Southwest Contract page 19, Section 2.11.1

testing), equipment calibration testing, and specific certification and training standards. Only confirmed positive test results will be used as evidence of prohibited drug use or misuse. Testing which does not follow the above-described state standards must be invalidated or "canceled," and reported as a negative result.

F. SPLIT SAMPLE:

- 1. At the time a drug test is given, a sufficient sample will be collected so that the sample may be split into two separately marked, sealed containers. All protocols regarding identification of the sample and chain of custody will be observed.
- 2. In the event the first sample yields a positive result indicating the presence of drugs, the employee, at the employee’s own expense, may elect to have the second sample tested at a federally certified hospital or laboratory of the employee's choice. The testing methodology shall be equal to or better than the methodology used on the initial test and the same threshold for a positive result shall be used.

G. REFUSAL:

Any employee who fails or refuses to comply with an order or directive to undergo chemical drug-testing, and/or fails or refuses to cooperate in the testing procedure, whether with cause or random selection, will be subject to disciplinary action up to and including discharge.

H. REPORTING TEST RESULTS:

- 1. All reports of Employee Drug Test results received by the Department shall be forwarded to the Office of Internal Affairs.
- 2. A report documenting the biannually test results shall be prepared by the Office of Internal Affairs and provided to the Office of the Chief.
- 3. Any and all laboratory reports indicating a positive test result, in accordance with Section C.2., shall immediately result in an investigation by the Office of Internal Affairs.

CONTACT INFORMATION

Testing Agent	Concentra Urgent Care	(954) 767-9999
Drug Testing Coordinator	Internal Affairs Commander	(954) 828-6956
MRO (Medical Review Officer)	Concentra Urgent Care	(954) 767-9999

After Hours Second Party's subcontractor

(954 467-2140)

Locations

Concentra Medical Center
1347 S. Andrews Ave.
Fort Lauderdale, Florida 33316

Concentra Medical Center
3501 N. Federal Highway
Pompano Beach, Florida 33064