Request for City Council Committee Action from the Human Resources Department

Date: July 15, 2009

To: Executive Committee

Referral to: Ways & Means/Budget Committee

Subject: ***Reasonable Suspicion Drug and Alcohol Testing Policy***

Recommendation: Adopt the Reasonable Suspicion Drug and Alcohol Testing Policy and receive and file the attached procedures that support the policy and direct Human Resources to place the policy and procedures in the Policy Library.

Previous Directives: None

Prepared by: Charles J. Bernardy, Manager, Human Resources

Approved by: _____ _____
Pam French, HR Director Steven Bosacker, City Coordinator

Presenters in Committee: Pam French, Charles Bernardy and/or Trina Chernos

Reviews

Permanent Review Committee (PRC)	Approval: NA Date: NA
Civil Rights Approval	Approval: NA Date: NA
Department Heads	Policy was reviewed at the City Leadership Team meeting on June 4, 2009
City Labor Management Committee	Pam French reviewed policy with the committee on June 11, 2009
Policy Review Group (PRG)	Approval: Yes Date: July 7, 2009

History: Staff from Human Resources, the City Attorney's Office and Risk Management have reviewed and updated the City of Minneapolis Reasonable Suspicion Drug and Alcohol Policy, that was last approved in 1997. This policy has since been incorporated into the majority of the City's labor agreements.

Policy Scope: The proposed policy applies to classified, appointed, politically appointed or temporary employees under the jurisdiction of the Mayor and City Council. Labor agreements reached under the Public Employment Labor Relations Act ("PELRA") and Minn. Stat. § 181.955 subd. 1 between the City of Minneapolis and exclusive employee representatives will supersede this Policy. This policy does not apply to employees subject to testing pursuant to federal regulations that specifically preempt state regulation of drug and alcohol testing.

Reasons for Policy Review and Update

1. To remove language (substances tested for, threshold levels, etc.) that causes the policy to become outdated and that is not required by Minnesota state statute.
2. To ensure continued compliance with federal and state laws.
3. To ensure policy coverage for employees not covered by a collective bargaining agreement.
4. To define the roles and responsibilities of employees, management, Human Resources, Risk Management (Finance), the City's Medical Review Officer/Third Party Clinic and Licensed Alcohol and Drug Counselors.
5. Practice of the Human Resources Department to periodically review and update enterprise policies.
6. To update the policy (and procedures) in accordance with the protocol established by the City's Policy Review Group.
7. To place the policy and procedures into the format approved by the Policy Review Group for future placement in the Policy Library.