



HUTTO FIRE RESCUE

WILLIAMSON COUNTY EMERGENCY SERVICES DISTRICT #3

STANDARD OPERATING PROCEDURES

STANDARD OPERATING PROCEDURE – Human Resources <p style="text-align: center;">#2-1.8 (Revised)</p> ISSUE DATE: January 1, 2023 EFFECTIVE: January 1, 2023	RESCINDS: A-14: Alcohol/Drug Policy #2-1.8: Substance Abuse (2009), (2018), (2022)
SUBJECT: <p style="text-align: center;">SUBSTANCE ABUSE POLICY</p>	AUTHORIZED BY: <p style="text-align: center;">Williamson County ESD #3 Board of Commissioners</p>
REFERENCE / AUTHORITY: Texas State Law Federal Law	APPLIES TO: <input checked="" type="checkbox"/> Full Time Uniformed Staff <input checked="" type="checkbox"/> Civilian Staff <input checked="" type="checkbox"/> ESD Commissioners
TFCA BEST PRACTICES: Chapter(s) : 12 Item(s) : 12.16, 12.17	CPSE / CFAI ACCREDITATION:



PURPOSE

Hutto Fire Rescue/Williamson County Emergency Services District #3 (Hutto Fire Rescue) recognizes that substance abuse in the workplace has become a major concern. Hutto Fire Rescue believes that by reducing drug and alcohol abuse, the safety, health, and productivity of members will improve. The object of this substance abuse policy is to provide a safe and healthy workplace for all members, prevent accidents, and comply with all statutes, regulations, and ordinances.

Additionally, the purpose of this policy is to ensure the reputation of Hutto Fire Rescue and its firefighters as good, responsible citizens worthy of public trust; to reduce the incidence of accidental injury to person or property; to reduce absenteeism, tardiness, and indifferent job performance; and to provide assistance for any member who seeks the help of Hutto Fire Rescue in overcoming any addiction to, dependence upon, or problem with alcohol or drugs.

BACKGROUND

Operating machinery under the influence of alcohol or drugs is high-risk misconduct. Danger also increases when reflexes or judgment are compromised to any degree by drugs or alcohol. Substance abusers are

not only five times more likely than other workers to cause injuries; they are also responsible for 40 percent of all industrial fatalities.

This Hutto Fire Rescue policy recognizes that employee involvement with alcohol and other drugs can be very disruptive, adversely affect the quality of work and performance of employees, pose serious safety and health risks to users and others, and have a negative impact on productivity and morale. Hutto Fire Rescue's policy is intended to curb involvement with alcohol and other drugs off-the-job that may affect job performance or public safety.

POLICY

DEFINITIONS

Alcohol or Alcoholic Beverages: Any beverage that has an alcoholic content.

Drug: Any substance (Other than alcohol) capable of altering the mood, perception, pain level, or judgment of the individual consuming it.

Prescribed Drug: Any substance prescribed for the individual consuming it by a licensed medical practitioner.

Illegal Drug: Any drug which is not legally obtainable under federal law, or which is legally obtainable but has not been legally obtained. The term also includes controlled substances, inhalants, intoxicants, marijuana, prescription drugs not legally obtained, prescription drugs not used as prescribed, and synthetic substances, such as synthetic marijuana, which are designed to mimic the effects of other illegal drugs.

Officer: The Hutto Fire Rescue Officer or Acting Officer who is the member's immediate superior in the chain-of-command.

Member Assistance Program: The program provided by Hutto Fire Rescue for member assistance.

Substance Abuse: Any use of drugs or alcohol that threatens physical or mental health, inhibits responsible personal relationships, or diminishes the ability to meet family, social, or vocational obligations.

MEMBER ASSISTANCE PROGRAM

- A. Any member, who feels they have developed an addiction to, dependence upon, or problem with alcohol or drugs, legal or illegal, is encouraged to seek assistance. Entrance into the Member Assistance Program can occur by self referral, recommendation, or referral by an officer.

- B. Request for assistance through "recommendation" or "officer referral" will be treated as confidential. "Self-referral" confidentiality will be maintained between the individual seeking help and member assistance personnel.
- C. Rehabilitation itself is the responsibility of the member. Paid staff members enrolled on a formal program will utilize "Sick Leave" for treatment.
- D. Continuation of employment is contingent upon the member providing certification that they are continuously enrolled in a treatment program, actively participating in that program, and maintaining regular contact with the Fire Chief.

ALCOHOLIC BEVERAGES

- A. Alcoholic beverages will not be used during any Hutto Fire Rescue activity or event, or during an individual's assigned work schedule. This includes, but is not limited to the following:
 - 1. In or on any District building or property.
 - 2. In any District vehicle.
 - 3. On any emergency scene.
 - 4. During any District meeting.
 - 5. During any training activity.
 - 6. During any public education activity or event.
 - 7. During any activity representing the District.
- B. Drinking, or being under the influence of alcoholic beverages during any District activity or event, or during an individual's assigned work schedule is cause for suspension or termination.
- C. Any member whose use of alcohol away from any District activity results in the violation of this policy, or any other Hutto Fire Rescue policy, may be referred to the Member Assistance Program for treatment, although Hutto Fire Rescue reserves the right to discipline such members or require treatment in lieu of such discipline at Hutto Fire Rescue's sole discretion.

PRESCRIPTION DRUGS

- A. Prescription drugs shall only be used by the person for whom the drug is prescribed, and shall be used only in the manner, combination, and quantity prescribed.

- B. Any member whose use of prescription drugs results in the violation of this policy or any other Hutto Fire Rescue policy, may be referred to the Member Assistance Program for treatment, although Hutto Fire Rescue reserves the right to discipline such members or require treatment in lieu of such discipline at Hutto Fire Rescue's sole discretion.

ILLEGAL DRUGS

- A. The use, occasional use, or recreational use of an illegal drug or controlled substance or the possession of them is cause for suspension or termination and for referral to law enforcement authorities.
- B. The sale, trade, or delivery of illegal drugs or controlled substances by a member to another person is cause for suspension or termination and referral to law enforcement authorities.

PROCEDURES

- A. The procedure of Hutto Fire Rescue in regard to members using, possessing, or being under the influence of alcohol, drugs, or chemicals while involved in Hutto Fire Rescue activities are as follows:
 - 1. Members shall report to their assignment fit and able to perform their required duties and shall not by any improper act render themselves unfit for duty.
 - a. Officers who have reasonable grounds to believe a member is under the influence of alcohol or drugs shall immediately relieve the member from their activity in order to protect the member, fellow firefighters, and the public from harm.
 - b. The officer shall immediately notify a second officer.
 - c. Both officers will interview the member, and if they both believe that the member is under the influence of alcohol, drugs, or chemicals, then said member will be taken to the District's designated testing facility.
 - d. The decision to relieve the member from duty should be documented as soon as possible. Both officers should document reasons and observations while the cause is fresh in their minds and details can be recalled. For example: *Glazed eyes, smell of alcohol, slurred speech, wobbly walk, change in normal appearance, etc.*

- e. If the member is willing to sign the appropriate release form, the testing facility will perform a drug and alcohol test.
 - i. It should be made clear to the member before they sign a release form that the results will be made available to the Fire Chief and may be used in disciplinary proceedings against the member.
 - ii. If the member refuses to test or release test results to the Fire Chief, the member will be considered in violation of Hutto Fire Rescue policies, and the member may be relieved of duty and termination procedures may be instituted.
- f. When alcohol or drug tests are administered the member will be relieved with or without pay from Hutto Fire Rescue activities until results are available.
 - i. When test results are positive, the member will be relieved of duty and subject to discipline (up to and including termination) and/or referred to the Member Assistance Program in the sole discretion of the Fire Chief.
 - ii. The Fire Chief shall make final determination whether a member returns to duty regardless of test outcome.
 - iii. Rejection of treatment, testing, or failure to complete the program will be cause for suspension or termination.
 - iv. Upon successful completion of treatment and written confirmation of fitness for duty from the treatment provider, the member may be returned to active status with Hutto Fire Rescue.
- 2. Any member driving a Hutto Fire Rescue vehicle involved in an accident will automatically be tested for drugs and alcohol. This is for the protection of the member and Hutto Fire Rescue.
- 3. Any officer who does not relieve a member they suspect or reasonably should suspect of being under the influence of alcohol, drugs, or chemicals will be subject to disciplinary action.

EFFECTIVE DATES -- NOTICE TO MEMBERS -- STATE LAW

- A. The policies set forth in this procedure are effective immediately upon notice to members. Each current member will be furnished a copy of this policy. Future members will be furnished a copy before acceptance into the organization.

- B. These policies will be implemented in a manner that will comply with all applicable federal and state laws.