

## State Drug Free Policy Worksheet For Public Entities

**You have requested a worksheet in order for your entity to receive a proposal to develop a Drug Free Workplace Policy and/or Forms.** You will be sent an engagement letter to confirm the work requested prior to drafting your customized Drug Free Workplace Program. If you have questions contact attorney Tommy Eden, a partner working out of the Constangy, Brooks, Smith, & Prophete, LLP offices in Opelika, AL and West Point, GA and a member of the ABA Section of Labor and Employment Law who serves on the Board of Directors for the East Alabama SHRM Chapter. **Contact him at Office: 334-246-2901; Mobile: 205-222-8030; Blog: [www.alabamiatwork.com](http://www.alabamiatwork.com); Website: [www.constangy.com](http://www.constangy.com). Email: [teden@constangy.com](mailto:teden@constangy.com). This is a fillable PDF. Please fill out this questionnaire and return it via email to [teden@constangy.com](mailto:teden@constangy.com) or fax to 334-521-7017 so that we can provide to you a flat rate quote for your project. Thank you.**

1. Name of the Entity as it should appear throughout the Policy & Forms:

**Answer:** \_\_\_\_\_ \*\*\*Entity Name\*\*\*

2. Abbreviated Name of the Entity as it should appear throughout the Policy & Forms – (such as “Vestavia Hills” rather than “City of Vestavia Hills”):

**Answer:** \_\_\_\_\_ \*\*\*Abbreviated Entity Name\*\*\*

3. Type of Entity – (examples - City, County, Town, Municipality, Village, Township, District, Authority, Board, Department, Commission, Agency, Parrish, Council, School or School District):

**Answer:** \_\_\_\_\_ \*\*\*Entity Type\*\*\*

4. Mailing Address (include city, state & zip code):

**Answer:** \_\_\_\_\_ \*\*\*Address\*\*\*

5. Phone number (include area code):

**Answer:** \_\_\_\_\_ \*\*\*Telephone\*\*\*

6. Fax number (include area code):

**Answer:** \_\_\_\_\_ \*\*\*Telefax\*\*\*

7. Title and/or Name of the Entity’s "Designated Employer Representative" – (Person in charge of implementing the program, overseeing employee education, arranging for testing, and keeping records of the Entity’s compliance with drug-free workplace rules. It is generally the personnel director, administrator, or your Entity’s equivalent):

**Answer:** \_\_\_\_\_ \*\*\*DER\*\*\*

8. Back-up DER:

**Answer:** \_\_\_\_\_ \*\*\*Alternate DER\*\*\*

9. Name of your certified Medical Review Officer (MRO) – (licensed physician (MD or DO) who is responsible for receiving & reviewing laboratory results generated by an employer's drug testing program & evaluating medical explanations for certain drug test results):

**Answer:** \_\_\_\_\_

\*\*\*MRO\*\*\*

10. EAP Provider (provide all contact information)

**Answer:** \_\_\_\_\_

\*\*\*EAP\*\*\*

11. Do you have any CDL/DOT covered employees?

**Answer:** \_\_\_\_\_

If yes, which DOT Agency?

**Answer:** \_\_\_\_\_

12. Are you seeking to qualify for a state Drug-Free Workplace Premium discount?

**Answer:** \_\_\_\_\_

13. Do you want an Attorney Certification letter?

**Answer:** \_\_\_\_\_

14. When do you plan to implement the program (date)?

**Answer:** \_\_\_\_\_

\*\*\*Effective Date\*\*\*

15. Name of the Entity's Safety-Sensitive Evaluator – (Person designated by the DER to perform an evaluation of employee job duties & responsibilities for all Entity employees to determine which classifications are to be designated as safety-sensitive in accordance with the Policy Statement definition. These designations will appear on the [Determination of Safety-Sensitive Positions] form in the Forms Toolkit & in the Policy Statement given to all employees.):

**Answer:** \_\_\_\_\_

\*\*\*Safety-Sensitive Evaluator\*\*\*

16. **List of safety-sensitive positions** – (Those employees who discharge duties fraught with risks of injury to others that even a momentary lapse of attention can have disastrous consequences. Factors which have been considered in determining whether a position is safety-sensitive include handling of potentially dangerous machinery, mostly unsupervised responsibility for children, & handling of hazardous substances in an environment where others could be injured. Positions which have been found to be safety-sensitive include firefighters, emergency medical technicians, law enforcement officials who carry firearms, fire & police dispatchers, 911 operators, heavy machinery operators, bus drivers, some (but not all) transportation workers, pipeline operators, gas meter repairmen, jail officers, & airline industry personnel. Some employees which come under federal laws and regulations, such as those under the Department of Transportation regulations, natural gas pipeline industry, & aviation, are determined to be safety-sensitive by those regulations & should appear in your list. Unless an employee comes under drug-testing regulations of some federal agency, each position, job classification or department, must be evaluated to determine whether the employee is safety-sensitive.):

**Answer:** \_\_\_\_\_

<b>***job classifications***</b>
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**These materials are for educational purposes only and are not intended as a substitute for the legal advice of an attorney knowledgeable of the issues covered as they relate to a user's individual circumstances.**

**"No representation is made that the quality of legal services to be performed is greater than the quality of legal services performed by other lawyers."**