



Policy: Substance Abuse Program Policy
For Non-Safety Sensitive Positions

**Approved By LYNX Board of
Directors, May 2012**

Issuing Dept: Human Resources

Effective Date: 6/4/12



John M. Lewis, Jr.
Chief Executive Officer

1. Policy

The Central Florida Regional Transportation Authority (hereinafter referred to as "LYNX") is dedicated to providing safe, dependable, and economical transportation services to our passengers. LYNX employees are our most valuable resource and it is our goal to provide a healthy, satisfying work environment which promotes personal opportunities for growth. In meeting these goals, it is our policy to (1) assure that employees are not impaired in their ability to perform assigned duties in a safe, productive, and healthy manner; (2) create a workplace environment free from the adverse effects of drug abuse and alcohol misuse; (3) prohibit the unlawful manufacture, distribution, dispensing, possession or use of controlled substances; and (4) to encourage employees to seek professional assistance anytime personal problems, including alcohol or drug dependency, adversely affect their ability to perform their assigned duties.

2. Purpose

The purpose of this policy is to assure worker fitness for duty and to protect our employees, passengers, and the public from the risk posed by the use of prohibited drugs and the misuse of alcohol. This policy is also intended to comply with all applicable Federal regulations governing workplace anti-drug and alcohol programs in the transit industry. The Drug-Free Workplace Act of 1988," which requires the establishment of drug-free workplace policies and the reporting of certain drug-related offenses to the FTA. This policy incorporates those requirements for employees and others when so noted. A copy of these procedures may be obtained from the Human Resources Department.

3. Applicability

This policy applies to all administrative employees, and paid part-time administrative employees. This policy applies to off-site lunch periods or breaks when an employee is scheduled to return to work.



4. Prohibited Substances

4.1 Illegally Used Controlled Substances or Drugs

This includes, but is not limited to: marijuana, amphetamines/methamphetamines, opiates, phencyclidine (PCP), and cocaine, as well as any drug not approved for medical use by the U.S. Drug Enforcement Administration or the U.S. Food and Drug Administration. Illegal use includes use of any illegal drug, misuse of legally prescribed drugs, and use of illegally obtained prescription drugs.

4.2 Legal Drugs

The appropriate use of legally prescribed drugs and non-prescription medications is not prohibited. However, the use of any substance, which carries a warning label that indicates that mental functioning, motor skills or judgment may be adversely affected, must be reported to a supervisor. A legally prescribed drug means that the individual has a prescription or other written approval from a physician for the use of a drug in the course of medical treatment. It must include the patient's name, the name of the substance, quantity/amount to be taken, and the period of authorization. The misuse or abuse of legal drugs while performing transit business is prohibited.

4.3 Alcohol

The use of beverages containing alcohol or any medication, food, or any other substance that results in alcohol being present in the body, while performing transit business is prohibited. The Central Florida Regional Transportation Authority (LYNX) is committed to ensuring safe, efficient and effective transportation services by establishing a drug and alcohol-free work environment, and to ensuring that the workplace remains free from the effects of drugs and alcohol in order to promote the health and safety of employees and the public. To that end Lynx will:

- Ensure that employees perform assigned duties in a safe, productive and healthy manner;
- Create a workplace environment free from the adverse effects of drug abuse and alcohol misuse;
- Prohibit the unlawful manufacture, distribution, dispensing, possession, or use of controlled substances;
- Encourage employees to seek professional assistance any time personal problems, including alcohol or drug dependency, affect their ability to perform their job duties;



5. Prohibited Conduct

5.1 Manufacture, Trafficking, Possession and Use

As outlined in the Drug-Free Workplace Act of 1988, transit system employees are prohibited from engaging in the unlawful manufacture, distribution, dispensing, possession or use of prohibited substances on LYNX premises, in transit vehicles, in uniform or while on company business. Compliance with the Drug-Free Workplace Act of 1988 is required of all recipients of Federal funding and is a condition of employment for all LYNX employees to abide by its terms.

Employees who violate this provision will be discharged. Law enforcement shall be notified, as appropriate, where criminal activity is suspected.

5.2 Intoxication

Any employee who is reasonably suspected of being intoxicated, impaired, under the influence of a prohibited substance, or not fit for duty, shall be immediately suspended from job duties with pay pending an investigation and verification of condition. An employee who fails to pass a drug and/or alcohol test shall be removed from duty immediately.

5.3 Alcohol and Drug Use

No employee is permitted to report for duty or remain on duty when their ability to perform assigned functions is adversely affected by alcohol or when their breath alcohol concentration is 0.02 or greater. No employee shall consume alcohol while on duty, while performing safety-sensitive functions, or just before or just after performing a safety-sensitive function. Employees on call should not consume alcohol within 4 hours of reporting for duty, or during the hours that they are on call.

All employees will be tested for alcohol and or drugs in the following circumstances: pre-employment, and reasonable suspicion..

5.4 Compliance with Testing Requirements

All employees will be subject to urine drug testing and breath alcohol testing as a condition of employment.



5.6 Notifying LYNX of Criminal Drug

Under the Drug-Free Workplace Act, all employees are required to notify LYNX of any criminal drug conviction or arrest within five (5) days after such conviction or arrest. Failure to comply with this provision shall result in disciplinary action up to and including termination of employment.

5.7 Proper Application of the Policy

LYNX is dedicated to assuring fair and equitable application of the substance abuse policy. Therefore, supervisors, managers and directors are required to use and apply all aspects of this policy in an unbiased and impartial manner. Any supervisor, manager or director who knowingly disregards the requirements of this policy, or who is found to deliberately misuse the policy in regard to subordinates, shall be subject to disciplinary action up to and including termination of employment.

6. Testing Procedures

All employees shall be subject to pre-employment and reasonable suspicion testing.

6.1 Pre-Employment Testing

All applicants shall undergo urine drug testing immediately following the offer of employment.

Failure of a pre-employment drug test will disqualify an applicant for employment for a period of one (1) year. Evidence of the absence of drug dependency from a Substance Abuse Professional that meets with the approval of the company and a negative pre-employment drug test will be required prior to further consideration for employment. The cost for the assessment and any subsequent treatment will be the sole responsibility of the applicant.

6.2 Reasonable Suspicion Testing

A reasonable suspicion referral for testing will be made on the basis of documented objective facts and circumstances which are consistent with the short-term effects of substance abuse or alcohol misuse. A non-DOT test will be conducted.



Examples of reasonable suspicion include, but are not limited to, the following:

- 1) Physical signs and symptoms consistent with prohibited substance use or alcohol misuse which includes specific, contemporaneous, articulated observations concerning the appearance, behavior, speech, or body odors of an employee.
- 2) Evidence of the manufacture, distribution, dispensing, possession or use of controlled substances, drugs, alcohol or other prohibited substance.
- 3) Fights (to mean physical contact), assaults, and flagrant disregard or violations of established safety, security or other operation procedures.

Reasonable suspicion referrals must be made by one or more supervisors who are trained to detect the signs and symptoms of drug and alcohol misuse and conclude that an employee may be adversely affected or impaired in his/her work performance due to possible prohibited substance abuse or alcohol misuse.

7. Disciplinary Consequences for a Positive Test for Prohibited Drugs:

Prohibited drugs are marijuana, cocaine, opiates, alcohol, phencyclidine and amphetamines. Based on LYNX Policy, any employees testing positive or above the blood alcohol content of .04 milligrams will be immediately terminated.

8. Prescriptions and Over- the- Counter Medications

8.1 Prescribed Drugs

Employees have the responsibility to explain their job duties to their medical practitioner and ensure that the use of prescribed medication will not pose a safety risk to themselves, other employees, or the general public. It is recommended that the employee provide the medical professional with a copy of their current job description. Copies of job descriptions may be obtained by contacting Human Resources. Medications whose labels indicate, "May cause drowsiness," "affect mental functioning, motor skills or judgment," should not be selected.

8.2 Over-The-Counter Medications

It is the responsibility of the employee, when selecting an over-the-counter medication, to read all warning labels before selecting it for use while in a working status.



8.3 Employee Assistance Program (EAP)

The Employee Assistance Program (EAP) offers employees free, confidential help for managing a variety of life's problems. This service is confidential and available twenty-four (24) hours a day, seven (7) days a week.

8.4 A Substance Abuse Professional (SAP)

A Substance Abuse Professional (SAP) evaluates employees who have violated a DOT drug and alcohol program regulation, makes recommendations concerning education, and offers employees free, confidential help for managing a variety of life's problems. This service is confidential and available twenty-four (24) hours a day, seven (7) days a week.

9. Employee and Supervisor Training

All employees will undergo a minimum of sixty (60) minutes of training on the signs and symptoms of drug use including the effects and consequences of drug use in personal health, safety, and the work environment. The training must also include manifestations and behavioral cues that may indicate prohibited drug use.

Supervisors will also receive sixty (60) minutes of reasonable suspicion training on the physical, behavioral, and performance indicators of probable drug use and sixty (60) minutes of additional reasonable suspicion training on the physical, behavioral, speech, and performance indicators of probable alcohol misuse.

10. System Contact

Any questions regarding this policy or any other aspect of the drug free and alcohol free transit program should contact the following LYNX representative(s) (whose names and agencies may change from time to time):

Program Manager:

Name: Director of Risk Management and Safety
Address: 2500 LYNX Lane
Phone: 407-841-2279

Medical Review Officer:

Name: Dr. Jock Sneddon, MD
Sol antic/WORC
Address: 7751 Kingspointe PKWY, Suite 114
Orlando, FL 32819



Phone: 407-581-9672
Fax: 407-581-9673

Employee Assistance Program

Name: Charles Nechtem Associates, Inc.
Location: 595 Bay Isles Road, Suite 115
Longboat Key, Florida 34228
Phone: 1-800-531-0200



Employee Acknowledgement of Receipt
Of Central Florida Regional Transportation Authority d.b.a. LYNX

Substance Abuse Policy

I have received a legible copy of CFRTA d.b.a. LYNX Substance Abuse Policy. I understand that my employment with LYNX is conditioned upon full adherence to this policy.

Employee Name: _____

Employee Signature: _____

Date: _____

Supervisor Name: _____

Supervisor Signature: _____

Date: _____