

Jefferson Transit Authority Board

Special Meeting Minutes

Wednesday, September 6, 2017, 1:30 p.m.

63 4 Corners Road, Port Townsend, WA

CALL TO ORDER/WELCOME

The meeting was called to order by Jefferson Transit Authority (JTA) Board Chair David Sullivan at 1:30 p.m. Other members present were Catharine Robinson, Kathleen Kler and Kate Dean, with David Faber excused.

STAFF PRESENT

General Manager Tammi Rubert, Finance Manager Sara Crouch, Fleet and Facilities Manager Ben Arnold and Executive Assistant/Clerk of the Board Laura Smedley.

PUBLIC COMMENT

Darrell Conder commented on revising the Drug & Alcohol Policy.

Burt Langsea commented on revising the Drug & Alcohol Policy.

Brenda McMillan commented on revising the Drug & Alcohol Policy.

Michelle Gransgaard commented on revising the Drug & Alcohol Policy.

Lyris Locklear commented on revising the Drug & Alcohol Policy.

OLD BUSINESS

Resolution 17-21: Revising the Drug & Alcohol Policy

Tammi Rubert stated JTA's policy had not been changed recently except to update names and contact information. This second chance policy allows for someone who has failed a marijuana drug test, to be immediately removed from safety-sensitive work and sent to a professional who will determine what their treatment will be. The Union is in full agreement with this policy change. The Union asked us to change one word on page 15 from "may" to "will" where it states "Under very limited circumstances involving marijuana, Jefferson Transit "will" allow an employee to return to work..." The Union also requested that when an employee has completed their substance abuse treatment, their last chance agreement will last for three (3) years, instead of permanently.

A "Transit Ask" was done throughout the state of Washington to find out how many agencies have a second chance policy. Six (6) agencies have a second chance policy and thirteen (13) do not. Of the six (6) agencies that have a second chance policy, two (2) of the agencies have a second chance policy for alcohol only. The agencies data did not show an increase in accidents with the second chance policy in place. One of the agencies said that their second chance policy allowed a long-term employee that had gone through the program, to be successfully retained at four (4) years and counting. Marijuana is still a Schedule 1 Drug, and an employee will be removed from safety-sensitive duty if a drug test is failed.

The following are questions and comments asked by the Board; staff responses are bulleted below the question or comment:

- What the public is concerned about is safety, which is a primary concern for the Board and staff. What is the fitness for duty process?
 - When Operators arrive, they check in with dispatch who have been trained to watch for impairment, physical or drug or alcohol related. If dispatch has a concern about someone's impairment, supervisors and management get involved. A fit for duty process is followed which lists very specific questions about what is being observed or smelled, and what signs of impairment are noted.
- At what point can a decision be made to do a drug test?
 - The form itself walks you through the process. You can choose to test at any time. We also ask for more than one pair of eyes, usually up to three. Every employee who clocks in is encouraged to talk to the dispatcher. Sometimes other employees will start the process and bring an impaired employee to the attention of the managers.
- Is there a testing protocol required due to Federal Funding?
 - For all drug or alcohol testing, we are required to do double sample testing. There is no difference between random versus reasonable suspicion versus return to duty testing.
- Because Federal Law is in complete conflict with our State Law at this point, will our Federal dollars be in jeopardy?
 - No, JTA is still saying marijuana is an illegal substance. If a second chance policy is clearly stated in our Drug & Alcohol Policy, this change will not affect our Federal funding. JTA contacted our insurance company, Washington State Transit Insurance Pool (WSTIP) and they said they would support this with a Board approved policy revision.
- What about medical marijuana?
 - Because JTA has a zero-tolerance policy, an employee would not be able to use marijuana and work. A CDL holder is required to tell JTA when they are using a Schedule 1 Drug, and a doctor's release is needed to return to safety-sensitive duty.
- Do mechanics have a CDL?
 - Yes, a safety-sensitive employee is someone who has the ability to operate the bus, repair the bus, or direct the movement of the bus.
- A Board member stated if you work at Transit, you live a safe lifestyle and come to work ready to work safely. He continued that it depends on the system, and the

implementation of the system, and believes in the focus of the staff in this mission.

- The Board Chair stated as he listens to the comments, he is not hearing that the Board is ready to make a motion. Is more time or research needed?
 - This Board works with committees to help research and solve issues. JTA has not done many ad hoc committees, but have that authority. Kate Dean and Kathleen Kler will work with Tammi Rubert and come back with a recommendation.

NEW BUSINESS

Resolution 17-24: Requesting review by the Health Care Authority to participate in the state insurance plans for the employees of Jefferson Transit Authority.

Sara Crouch stated the Board must approve this Resolution before JTA can submit an application to the Public Employees' Benefit Board. She has done quite a bit of research, and the plans is comparable with our current coverage. The Union has approved this insurance¹⁰²³ change.

Motion: Kate Dean moved to approve Resolution 17-24: Requesting review by the Health Care Authority to participate in the state insurance plans for the employees of Jefferson Transit Authority. Kathleen Kler seconded.

Vote: The motion carried unanimously, 4-0 by voice vote.

PUBLIC COMMENT

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Michelle Gransgaard commented on revising the Drug & Alcohol Policy.


Burt Langsea commented on revising the Drug & Alcohol Policy.

Darrell Conder commented on revising the Drug & Alcohol Policy.

Lyris Locklear commented on drug testing in our community and revising the Drug & Alcohol Policy.

ADJOURNMENT

The meeting was adjourned at 2:25 p.m. The next regular meeting will be held Tuesday, October 17, 2017, at 1:30 p.m.



Laura Smedley, Clerk of the Board

10-17-2017
Date