



**JEFFERSON TRANSIT
AUTHORITY BOARD MEETING**
Wednesday, September 6, 2017, 1:30 p.m.
Jefferson Transit Authority Board Room
63 4 Corners Road, Port Townsend, WA
SPECIAL MEETING NOTICE/AGENDA

SPECIAL MEETING AGENDA

Call to Order/Welcome

Public Comments

I. Old Business

- a. **Resolution 17-21:** Proposed Drug and Alcohol Policy Revision

II. New Business

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

Public Comments

Adjournment

Individuals requiring reasonable accommodation may request written materials in alternative formats, physical accessibility accommodations or other reasonable accommodation by calling (360) 385-4777 or TDD/TTY users dial 711 to reach a relay operator.



Authority Board Agenda Summary

MEETING DATE: September 6, 2017

AGENDA ITEM: Resolution 17-21: Adopting the Revised Substance Abuse Policy and Drug & Alcohol Testing Program

SUBMITTED BY: Sara Crouch TITLE: Finance Manager

DEPARTMENT: Administration

EXHIBITS/
ATTACHMENTS:

Resolution 17-21
Updated Substance Abuse Policy and Drug & Alcohol Testing Program

BUDGETARY IMPACT (if applicable) BUDGETED: N/A

EXPENDITURE REQUIRED: N/A FUNDING SOURCE: N/A

REVIEWED BY: *Sam Ruben*

RECOMMENDATION: Approve

SUMMARY
STATEMENT:

This Resolution is to adopt the updated information on page 15 under Section S: Result of Drug/Alcohol Test or Violation of Prohibitive Conduct in the Substance Abuse Policy and Drug & Alcohol Testing Program.

RECOMMENDED
ACTION/MOTION:

Motion: Move to approve Resolution 17-21: Adopting the revised Substance Abuse Policy and Drug & Alcohol Testing Program

1 **Jefferson Transit Authority**
2 **Resolution No. 17-21**

3
4 **A RESOLUTION** of the Board of Directors of the Jefferson County Public
5 *Transportation Benefit Area, hereinafter called the "Authority" Adopting the Revised*
6 *Substance Abuse Policy and Drug & Alcohol Testing Program*
7

8 **WHEREAS**, Jefferson Transit Authority adopted a Substance Abuse Policy and
9 Drug and Alcohol Testing Program in 1995 and last amended it in June of 2017; and
10

11 **WHEREAS**, the Authority wishes to revise the current policy and program to
12 update Section S: Results of Drug/Alcohol Test or Violation of Prohibitive Conduct in the
13 Substance Abuse Policy and Drug & Alcohol Testing Program, upon approval by the
14 Amalgamated Transit Union #587; and
15

16 **WHEREAS**, the attached amended policy provides rules and procedures that are
17 consistent with current regulations,
18

19 **NOW, THEREFORE, BE IT RESOLVED** that the Jefferson Transit Authority
20 Board of Directors does hereby adopt the attached Amended Substance Abuse Policy
21 and Drug & Alcohol Testing Program dated the 15th day of August 2017.
22

23 **CERTIFICATION**
24

25 The undersigned duly qualified Clerk of the Board, acting on behalf of the Jefferson
26 County Public Transportation Benefit Area, certifies that the foregoing is a true and
27 correct copy of a resolution adopted at a legally convened meeting of the Jefferson
28 Transit Authority Board held on this 6th day of September 2017.

Chair

Vice Chair

Member

Member

Attest:

Member

Clerk of the Board

considered removed from the random drug testing pool and be required to submit to a pre-employment drug test prior to returning to safety sensitive duties.

S. RESULT OF DRUG/ALCOHOL TEST OR VIOLATION OF PROHIBITIVE CONDUCT

Any covered employee who is found to be in violation of Jefferson Transit's Substance Abuse Policy and/or federal regulations will be immediately prohibited from performing any safety-sensitive functions and will be removed from performing any safety-sensitive functions immediately, as defined on page 4 in this policy, and will be subject to termination of employment, with the limited exception as set forth below.

Under very limited circumstances involving marijuana, Jefferson Transit will allow an employee to return to work following successful treatment and rehabilitation. Jefferson Transit will pay the cost of any follow-up controlled substances or alcohol testing required by 49 CFR Part 655. However, the employee is responsible for all costs associated with the pretreatment evaluation and subsequent treatment. Any employee that is permitted to return to work following treatment must enter into a Last Chance Agreement for three years, in which the employee agrees to submit to random drug and alcohol testing as directed by a Substance Abuse Professional in order to continue to perform safety-sensitive functions.

Deleted: may

Any covered employee who violates a prohibitive conduct as defined in Section F of this policy, will be terminated from his/her position and provided information about Substance Abuse Professionals (SAPs) in the area.

Deleted: Any covered employee that has a verified positive drug or alcohol test result as defined on page 4 in this policy, or any covered employee who violates a prohibitive conduct as defined in Section F of this policy, will be terminated from his/her position and provided information about Substance Abuse Professionals (SAPs) in the area. Under normal circumstances, employees violating this policy or federal regulations will be removed from performing any safety-sensitive functions immediately, as defined on page 4 in this policy, and will be subject to termination of employment. Under some circumstances, however, we may agree to return an employee to perform these functions following treatment and rehabilitation. Where that occurs, the employee must pay the cost of the pretreatment evaluation and any treatment. The company medical plan when available to the employee may cover a portion of these expenses. Any uncovered costs remain the employee's responsibility to pay. Jefferson Transit will pay the cost of any follow-up controlled substances or alcohol testing required by 49 CFR Part 655. ¶

1. As soon as practicable after receiving notice of a verified positive drug test result, a confirmed alcohol test result, or a test refusal, the JTA DAPM will contact the employee's supervisor to have the employee cease performing any safety-sensitive function and to begin the termination proceedings.
2. ***Refusal to submit to a drug/alcohol test shall be considered a positive test result and a direct act of insubordination and shall result in termination.*** A list of test refusal criteria may be found in the definitions on Page 4 and 5 of this document.
3. An alcohol test result of 0.02 to 0.039 BAC shall result in the removal of the employee from duty for eight (8) hours or the remainder of the workday, whichever is longer. The employee will be provided information about SAPs in the area. The employee will not be allowed to return to duty for his/her next shift until he/she submits to an alcohol test with a result of less than 0.02 BAC. If the employee has an alcohol test result of 0.02 to 0.039 one more time within a six-month period, the employee will be terminated.
4. In the case of self-referral, the cost of any treatment or rehabilitation services will be paid directly by the employee or their insurance provider. The employee will be permitted to take accrued leave to participate in the SAP-prescribed treatment program. If the employee has insufficient accrued leave, the employee shall be placed on leave without pay until the SAP has determined that the employee has successfully completed the required treatment program and releases him/her to return to duty. Any leave taken, either paid or unpaid, shall be considered leave taken under the Family and Medical Leave Act, as applicable in the labor agreement.

¶ Where, at Jefferson Transit's discretion, an employee is returned to work, the covered employee will be required to enter into a Last Chance Agreement and to submit to unannounced follow-up testing for controlled substances and/or alcohol as directed by the Substance Abuse Professional in order to continue to perform safety-sensitive functions. ¶

¶ The Company reserves the right to take disciplinary action up to and including termination for violation of the Company drug and alcohol policy where and when we deem it appropriate. ¶



Authority Board Agenda Summary

MEETING DATE: September 6, 2017

AGENDA ITEM: Resolution 17-24: Requesting Review by the Health Care Authority to Participate in the Washington State Insurance Plans

SUBMITTED BY: Sara Crouch TITLE: Finance Manager

DEPARTMENT: Administration

EXHIBITS/
ATTACHMENTS:

Resolution 17-24

BUDGETARY IMPACT (if applicable) BUDGETED: N/A

EXPENDITURE REQUIRED: N/A FUNDING SOURCE: N/A

REVIEWED BY: *Jan Rub*

RECOMMENDATION: Approve

SUMMARY
STATEMENT:

This Resolution is to request a review by the Health Care Authority so JTA can proceed with the application for the Public Employees Benefit Board (PEBB) insurance plan.

RECOMMENDED
ACTION/MOTION:

Motion: Move to approve Resolution 17-24: Requesting Review by the Health Care Authority to Participate in the Washington State Insurance Plans

1 **Jefferson Transit Authority**
2 **Resolution No. 17-24**

3
4 **A RESOLUTION** of the Board of Directors of the Jefferson County Public
5 *Transportation Benefit Area, hereinafter called the "Authority" requesting review by the*
6 *Health Care Authority to participate in the Washington State Insurance Plans*
7

8 **WHEREAS**, the Health Care Authority administers the medical, dental, life, and
9 long term disability insurance coverage for the employees of the state of Washington,
10 as set forth in chapter 41.05 RCW; and,

11 **WHEREAS**, the Authority representing Jefferson Transit Authority (JTA) has
12 reviewed the state insurance plans, chapter 41.05 RCW, RCW 41.04.205, chapter 182-
13 08 WAC, and chapter 182-12 WAC; and,

14 **WHEREAS**, we deem the state insurance plans as providing desirable insurance
15 coverage for the employees; and,

16 **WHEREAS**, we certify that all employees enrolled are eligible to participate in the
17 state insurance plans;

18 **NOW, THEREFORE, BE IT RESOLVED** that Jefferson Transit Authority
19 requests approval by the Health Care Authority to participate in the state insurance
20 plans for the employees of JTA, subject to the requirement of RCW 41.04.205 and the
21 rules adopted thereunder.
22

23 **CERTIFICATION**

24
25 The undersigned duly qualified Clerk of the Board, acting on behalf of the Jefferson
26 County Public Transportation Benefit Area, certifies that the foregoing is a true and
27 correct copy of a resolution adopted at a legally convened meeting of the Jefferson
28 Transit Authority Board held on this 6th day of September, 2017.

Chair

Vice Chair

Member

Member

Attest:

Member

Clerk of the Board