

CALHOUN COUNTY BOARD OF COMMISSIONERS
SPECIAL MEETING
OCTOBER 22, 1996

PRESENT & ACTING:

FRED ATTAWAY, CHAIRMAN
PACK BOWDEN, VICE-CHAIRMAN
WILLIE T. GRANT
DUANE CAPPS
DONNELL WHITFIELD

BRENDA TODD, DEPUTY CLERK
MATT FUQUA, COUNTY ATTORNEY

THE PURPOSE OF THIS MEETING IS TO HOLD AN IMPASSE HEARING ON THE DRUG FREE WORKPLACE POLICY.

CHAIRMAN ATTAWAY CALLED THE MEETING TO ORDER AND TURNED THE PROCEEDINGS OVER TO THE COUNTY ATTORNEY, MATT FUQUA.

COUNTY ATTORNEY FUQUA INTRODUCED MIKE MATTIMORE, LABOR ATTORNEY. MR. FUQUA WILL ARGUE THE COUNTY'S POSITION IN THE COLLECTIVE BARGAINING DISPUTE REGARDING THE UNION CONTRACT ON THE DRUG FREE WORKPLACE POLICY.

A DECISION WILL BE MADE DURING THIS MEETING AND WILL BECOME A PART OF THE UNION CONTRACT FOR THE FISCAL YEAR.

EACH PARTY WILL HAVE FIFTEEN MINUTES TO PRESENT THEIR CASE.

COUNTY ATTORNEY FUQUA QUESTIONED IF AN EMPLOYEE IS GIVEN A DRUG TEST AND FAILS, DOES THE EMPLOYEE GET DISCIPLINED OR DOES THE EMPLOYEE GET TERMINATED.

UNION MAINTAINS TERMINATION VIOLATES SOME STATUTE THAT HAS NOT BEEN PRESENTED TO THE COUNTY.

PRIOR TO DRUG TESTING THE EMPLOYEE HAS THE OPTION, IF THEY HAVE A DRUG PROBLEM WHICH HE ADMITS TO HAVING THE PROBLEM PRIOR TO TESTING HE/SHE CAN NOT BE TERMINATED BUT OFFERED HELP. IF THE EMPLOYEE CHOOSES TO ACCEPT HELP, HE MUST ABIDE BY ALL REQUIREMENTS.

UPON ONE CONFIRMED POSITIVE TESTING AND DOES NOT RECEIVE HELP, THE EMPLOYEE CAN BE TERMINATED.

WALLACE BRANNON, UNION, REQUESTED THE FIRST TIME OFFENDER BE ALLOWED TO RECEIVE HELP, INPATIENT OR OUTPATIENT HELP, BE KEPT EMPLOYED AND GIVEN SIX (6) RANDOM TESTS WITHIN TWELVE (12) MONTHS, AND IF THE EMPLOYEE FAILS ANY OF THE TESTS, HE CAN THEN BE TERMINATED.

HRS GUIDELINE RECOGNIZES SUBSTANCE ABUSE HELP.

IT SHALL ALSO BE CONSIDERED A POSITIVE TESTING IF AN EMPLOYEE REFUSES TO BE TESTED.

COUNTY ATTORNEY FUQUA RESPONDED THAT THE BCC CAN TAKE NUMEROUS COURSES OF ACTION BUT MUST MAINTAIN THE AUTHORITY TO TERMINATE.

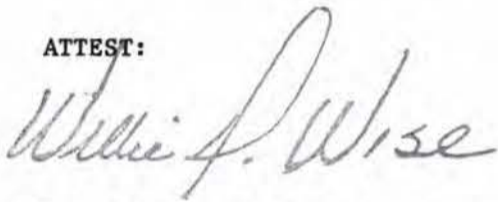
SUBSTANCE ABUSE PROGRAMS ARE COVERED UNDER THE COUNTY'S GROUP HEALTH INSURANCE PLAN.

KEN MEARS, WORKER'S COMP, QUESTIONED THE LIABILITY THE COUNTY WOULD BE UNDER IF AN EMPLOYEE HAS AN ACCIDENT WHILE UNDER THE INFLUENCE OF DRUGS OR ALCOHOL.

MOTION MADE BY COMMISSIONER BOWDEN TO ADOPT THE DRUG FREE WORKPLACE POLICY AS RECOMMENDED BY COUNTY ATTORNEY FUQUA WITH THE BCC TERMINATING AS THEY SEE FIT, SECONDED BY COMMISSIONER GRANT AND CARRIED 4-1. COMMISSIONER ATTAWAY VOTING AGAINST DUE TO THE TESTING NOT BEING DONE RANDOMLY.

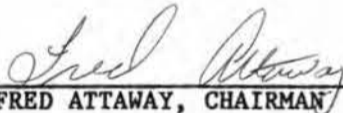
THERE BEING NO FURTHER BUSINESS, THE BOARD DID ADJOURN.

ATTEST:



WILLIE D. WISE, CLERK

CALHOUN COUNTY BOARD OF COMMISSIONERS:



FRED ATTAWAY, CHAIRMAN