

DENVER BOARD OF WATER COMMISSIONERS

Meeting Date: June 10, 2015

Board Item: II-A-11

**Personnel Policies Amendments
Regarding Chapter 6 – Drug and Alcohol Policies**

Action by Consent

Action

Information

It is recommended that the Board amend Chapter 6 of the *Personnel Policies* to reflect state and federal law regarding random and biennial drug and alcohol testing for employees required to drive vehicles weighing between 10,001 – 26,000 pounds (“Heavy Vehicle Drivers”)

A review of current case law shows that because of constitutional limits on drug testing of public employees, Denver Water’s policy of randomly testing Heavy Vehicle Drivers creates some legal risk. The recommended changes to the policies remove only the random and biennial testing requirements for Heavy Vehicle Drivers. These drivers would still be subject to testing if they perform safety sensitive functions, if there is reasonable suspicion to believe they are impaired by drugs or alcohol, or after an accident resulting in a certain level of damage to persons or property.

Recommendation:

It is recommended that the Board approve the changes to the following sections of the *Personnel Policies* contained in the attachment:

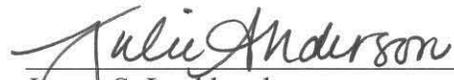
Chapter 6 – Drug and Alcohol Policies

Approvals:

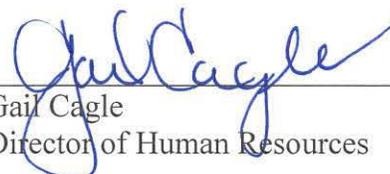
Respectfully submitted,



Patricia L. Wells
General Counsel



for James S. Lochhead
CEO/Manager



Gail Cagle
Director of Human Resources