

## APPENDIX B

### ALCOHOL AND DRUG TESTING

#### **I. Alcohol and Drug Testing—An Overview.**

A. Alcohol testing is required for reasonable suspicion, post-accident, and return-to-duty/follow-up. Alcohol testing is performed using an evidential breath testing device (EBT) approved by the National Traffic Safety Administration.

B. Drug testing is required for reasonable suspicion, post-accident, and return-to-duty/follow-up. Drug testing may be conducted, post-offer, pre-employment. Drug testing may include, but not limited to, the following drugs: cannabis (marijuana), crack, phencyclidine (PCP), LSD, heroin, cocaine, morphine, amphetamines and methamphetamines, barbiturates, opiates and opium and codeine derivatives as well as semi-synthetic opioids such as fentanyl, hydrocodone, oxycodone, hydromorphone, oxymorphone, methaqualone or benzodiazepines. Drug testing is conducted by analyzing a urine specimen, or, when available within Carbon District, by using oral fluid specimens.

C. The District does not use DOT forms with references to DOT programs and agencies crossed out for its non-DOT drug and alcohol testing programs.

#### **II. Reasonable Suspicion Testing.**

A. When there is reasonable suspicion to believe an employee has engaged in abuse and/or untimely use of alcohol and/or drugs, the employee may be required to undergo a drug and/or alcohol test.

B. Reasonable suspicion may be based upon and include, but is not limited to: a) observation of the employee's behavior, which is indicative of drug and/or alcohol use; b) odor of alcohol on the breath or body; c) frequent unexplained absences or tardiness; d) mood swings; e) the failure to follow directions.

C. Drug and/or alcohol tests based upon reasonable suspicion are authorized only if the required observations are made during, just before, or just after the period of the work period when the employee must comply with drug and alcohol prohibitions; must be conducted by a person other than the person who determines reasonable suspicion exists to conduct such a test. If the alcohol test is not administered within two (2) hours, or, if the drug test is not administered within thirty-two (32) hours of the determination of reasonable suspicion, the District Chief shall prepare and maintain a written record explaining why the testing was not done. Attempts to conduct the tests shall terminate if not administered within eight (8) hours after the determination of reasonable suspicion for alcohol or within thirty-two (32) hours after the determination of reasonable suspicion for drugs.

D. When it is reasonably suspected that the abuse and/or untimely use of alcohol or drugs by an employee exists, the department head and/or the designated supervisor shall proceed as described below [All conversations should, whenever possible, involve a witness.]:

1. Solicit an explanation from the employee for any behavior which creates a reasonable suspicion to believe the employee has engaged in the abuse and/or untimely use of alcohol or drugs.

2. If the volunteer cannot satisfactorily explain the behavior, the volunteer may be requested to undergo a drug and/or alcohol test.

E. The volunteer shall be transported by the District or its designee to the collection site for testing. The volunteer will be relieved of his/her duties pending the results of the testing and placed on a paid leave-of-absence. The method of transportation shall be determined by the department head or his/her designee; under no circumstances will the volunteer suspected of being under the influence be permitted to drive themselves to the collection site. At the collection site, he/she will complete the consent form and a specimen/test result will be obtained.

F. If the volunteer refuses to undergo the test or complete the consent form, she/he will be advised that such refusal may subject the volunteer to discipline, including termination. If the volunteer still refuses to undergo testing or to complete the consent form, she/he will be directed to the department head and is subject to discipline, including termination.

G. If a volunteer's drug test is confirmed positive and the volunteer makes a request to the medical review officer within seventy-two hours that an additional drug confirmation test be conducted (which is conducted at the volunteer's expense), the volunteer will be placed on a paid leave-of-absence pending the results of the additional drug confirmation test. If a positive drug test is not confirmed, the volunteer will return to his/her job.

H. If a volunteer's test is positive for abuse and/or untimely use of alcohol or drugs, he/she is subject to discipline, including termination.

I. If a volunteer's test is positive for abuse and/or untimely use of alcohol or drugs, he/she will be referred to a substance abuse professional. The District is not required, and will not provide or pay for evaluation, rehabilitation, or treatment. Any evaluation, treatment, or rehabilitation is at the sole expense of the volunteer.

J. If the volunteer's test is positive for abuse and/or untimely use of alcohol or drugs, the District is not required to continue to employ or to reinstate an volunteer to his/her position. In the event an volunteer who is subject to testing is returned to work, the volunteer must have been evaluated by a substance abuse professional, at the volunteer's expense, complied with any recommended treatment, shall undergo either a return-to-duty alcohol test with a result indicating no alcohol concentration and/or shall undergo a return-to-duty drug test with a verified negative

result for drug use. In addition, the volunteer shall agree to submit to unannounced follow-up alcohol and/or drug testing at the volunteer's expense and provide copies of such tests to the volunteer's department head and District Office. The follow-up testing shall be at the direction of his/her substance abuse professional and such testing shall occur a minimum of six times in twelve months.

K. The department head who makes the observations leading to a reasonable suspicion test shall make a written record of his/her observations within twenty-four (24) hours of the observed behavior, or before the results of the test are released, whichever is earlier. A copy shall be provided to the District Chief and District Office.

L. District personnel designated to determine whether reasonable suspicion exists must receive training concerning the physical, behavioral, speech, and performance indicators of alcohol misuse and additional training on indicators of drug abuse.

### **III. Volunteer Post-Accident Testing.**

A. The District shall require an volunteer to undergo drug and alcohol testing after an accident in which the volunteer is operating a vehicle or off-road vehicle such as self-propelled equipment or machinery owned, leased, rented or used by or on behalf of the District, including a personal vehicle used by an volunteer to perform his/her work, if: a) there is a fatality; or b) one or more persons (including the District volunteer) requires or required medical treatment either at or away from the accident scene; or c) the District volunteer receives a citation arising from the accident.

B. The procedure and advisements set forth in the above paragraphs II. D. 1 and 2 regarding reasonable suspicion testing will be followed, except the volunteer shall be advised the tests are required as part of the accident investigation.

C. A volunteer involved in an accident shall make him/herself readily available for testing, absent the need for immediate medical attention. A volunteer involved in an accident shall not use alcohol for eight (8) hours after the accident, or until after he/she undergoes the post-accident alcohol test, or until it is determined that his/her actions were not a contributing factor in the accident, whichever occurs first.

D. If an alcohol test is not administered within two (2) hours, or if a drug test is not administered within thirty-two (32) hours after the accident, The department head shall prepare and maintain written records explaining why the tests were not conducted. Tests will not be given if not administered within eight (8) hours after the accident for alcohol or within thirty-two (32) hours after the accident for drugs.

E. The volunteer shall be transported by the District or its designee to the collection site for testing. The volunteer will be relieved of his/her duties pending the results of the testing and placed on a paid leave-of-absence. The method of transportation shall be determined by the

department head or his/her designee; under no circumstances will the volunteer be permitted to drive themselves to the collection site. At the collection site, he/she will complete the consent form and a specimen/test result will be obtained.

F. If the volunteer refuses to undergo the test or complete the consent form, she/he will be advised that such refusal may subject the volunteer to discipline, including termination. If the volunteer still refuses to undergo testing or to complete the consent form, she/he will be directed to the department head and is subject to discipline, including termination.

G. If the volunteer's drug test is confirmed positive and the volunteer makes a request to the medical review officer within seventy-two hours that an additional confirmation drug test be conducted (which is conducted at the volunteer's expense), the volunteer will be placed on a paid leave-of-absence pending the results of the additional drug confirmation test. If a positive drug test is not confirmed, the volunteer will return to his/her job.

H. If the volunteer's test is positive for abuse and/or untimely use of alcohol or drugs, he/she is subject to discipline, including termination.

I. If the volunteer's test is positive for abuse and/or untimely use of alcohol or drugs, he/she will be referred to a substance abuse professional. The District is not required, and will not provide or pay for evaluation, rehabilitation, or treatment. Any evaluation, treatment, or rehabilitation is at the sole expense of the volunteer.

J. If the volunteer's test is positive for abuse and/or untimely use of alcohol or drugs, the District is not required to continue to employ or to reinstate an volunteer to his/her position. In the event an volunteer who is subject to testing is returned to work, the volunteer must have been evaluated by a substance abuse professional, at the volunteer's expense, complied with any recommended treatment, taken a return-to-duty alcohol/drug test; and agreed to be subject to unannounced follow-up testing to be conducted at the volunteer's expense. In addition, the volunteer shall agree to submit to unannounced follow-up alcohol and/or drug testing at the volunteer's expense and provide copies of such tests to the volunteer's department head and Human Resources. The follow-up testing shall be at the direction of his/her substance abuse professional and such testing shall occur a minimum of six times in twelve months.

#### **IV. Return-to-Duty/Follow-up Testing.**

A. Any volunteer who has not been terminated and is allowed to return to duty after engaging in conduct prohibited by Section 30 and this regulation, shall undergo either a return-to-duty alcohol test with a result indicating no alcohol concentration and/or shall undergo a return-to-duty drug test with a verified negative result for drug use. In addition, the volunteer shall agree to submit to unannounced follow-up alcohol and/or drug testing at the volunteer's expense and provide copies of such tests to the volunteer's department head and Human Resources. The follow-up testing shall be at the direction of his/her substance abuse professional and such testing shall occur a minimum of six times in twelve months.

**V. Alcohol Testing and Procedures.**

A. The following alcohol-related conduct prohibits a volunteer from performance of the volunteer's job duties:

1. having a breath alcohol concentration of 0.02% or greater;
2. using alcohol while in the performance of the volunteer's duties;
3. performance of the volunteer's duties or functions within four (4) hours after using alcohol;
4. using alcohol within eight (8) hours after an accident has occurred or until the volunteer has undergone post-accident alcohol testing; and
5. refusing to submit to an alcohol test.

B. volunteers who engage in prohibited alcohol conduct, as set forth above, must immediately be removed from the workplace and are subject to discipline, including termination.

C. In the event a confirmation test registers 0.08% or greater, the volunteer will be referred to a substance abuse professional. The District is not required, and will not provide or pay for evaluation, rehabilitation, or treatment. Any evaluation, treatment, or rehabilitation is at the sole expense of the volunteer.

D. In the event the District does not terminate the volunteer who engages in prohibited alcohol conduct, prior to return to work, the substance abuse professional must provide a written statement to the District stating the volunteer has successfully completed the rehabilitation program which was prescribed for him/her. The volunteer must be tested prior to return to work and the result must be less than 0.02%. The volunteer shall be subject to unannounced follow-up testing to be conducted at the volunteer's expense. The number and frequency of such follow-up testing shall be as directed by the substance abuse professional but shall occur a minimum of six times in twelve months.

E. Any confirmation test with a positive result of 0.02% or greater will be documented and may result in discipline, including termination.

F. If a volunteer's behavior or appearance suggests alcohol misuse, a reasonable suspicion alcohol test must be conducted.

G. All alcohol breath tests shall be conducted on an approved evidential breath testing device (EBT), approved by the National Traffic Safety Administration, by a trained breath alcohol technician (BAT). EBT's shall be able to distinguish alcohol from acetone at the 0.02% alcohol concentration level and shall be capable of testing an air blank prior to each collection of breath and performing an external calibration check. In order to be used in either screening or confirmation alcohol testing, an EBT shall have a quality assurance plan (QAP) developed by the manufacturer.

H. Testing will be conducted as follows, unless testing procedures and standards have been amended, in which event such amended procedures shall apply, and supersede the procedures set forth herein.

I. Two (2) breath tests are required to determine if a person has prohibited alcohol concentration. A screening test is conducted first. Any result less than 0.02% alcohol concentration is considered a "negative" test. If the alcohol concentration is 0.02% or greater, a second or confirmation test must be conducted no earlier than fifteen (15) minutes and no later than thirty (30) minutes after the screening test.

J. Breath alcohol testing will be conducted at a location that affords visual and aural privacy to the volunteer being tested sufficient to prevent unauthorized persons from seeing or hearing the test results. All necessary equipment, personnel, and materials for breath testing shall be provided at the location where testing is conducted. In some unusual circumstances, such as when it is essential to conduct a test outdoors at the scene of an accident, a test may be conducted at a location that provides visual and aural privacy only to the greatest extent practicable.

K. When the volunteer to be tested enters the alcohol testing location, the BAT will require the volunteer to provide positive identification. The BAT shall explain the testing procedure to the volunteer. The procedure to be followed by the BAT for a screening test is essentially as follows:

1. The BAT shall complete Step I on the breath alcohol testing form. The volunteer shall then complete Step 2 on the form, signing the certification. Refusal by the volunteer to sign this certification shall be regarded as a refusal to take the test.

2. An individually sealed mouthpiece shall be opened in view of volunteer and BAT and attached to the EBT in accordance with the manufacturer's instructions.

3. The BAT shall instruct the volunteer to blow forcefully into the mouthpiece for at least six (6) seconds or until the EBT indicates an adequate amount of breath has been obtained. If the EBT provides a printed result but does not print the results directly onto the form, the BAT shall show the volunteer the result displayed on the EBT. The BAT shall then affix the test result printout to the breath test form in the designated space, using a method that will provide clear evidence in the event of removal.

4. If the EBT prints the test results directly onto the form, the BAT shall show the volunteer the result displayed on the EBT.

5. If the result of the screening test is a breath alcohol concentration of less than 0.02%, then the BAT shall date the form and sign the certification in Step 3 of the form. The volunteer shall sign the certification and fill in the date in Step 4 of the form.

6. If the volunteer does not sign the certification in Step 4, the BAT shall note the volunteer's failure to sign or initial in the "Remarks" section of the form.

7. If the result of the screening test is a blood alcohol concentration of less than 0.02%, no further testing is authorized. The BAT shall transmit the result of less than 0.02% to the District in a confidential manner, and the District shall receive and store the information so as to ensure confidentiality is maintained.

8. If the result of the screening test is an alcohol concentration of 0.02% or greater, a confirmation test shall be performed as provided below.

L. Procedures for confirmation tests (i.e., the screening test results are 0.02% or greater) are as follows:

1. The confirmation test shall be conducted within thirty (30) minutes of the completion of the screening test. The BAT shall instruct the volunteer not to eat, drink, or put any object or substance in his/her mouth. This time period begins with the completion of the screening test and shall be not earlier than fifteen (15) minutes and not later than 30 minutes after the completion of the screening test. The BAT shall explain to the volunteer the reason for this requirement (i.e., to prevent any accumulation of mouth alcohol leading to an artificially high reading) and the fact that it is for the volunteer's benefit. The BAT shall also explain the test will be conducted at the end of the waiting period, even if the volunteer has disregarded the instruction. If the BAT becomes aware the volunteer has not complied with the instructions (concerning not to eat, drink, or put any object or substance in his/her mouth, or left the testing area without permission), the BAT shall so note in the "Remarks" section of the form.

2. Before the confirmation test is administered, the BAT shall ensure that the EBT registers 0.00 on an air blank. If the reading is greater than 0.00, the BAT shall test one more air blank. If the reading is greater than 0.00, testing shall not proceed using that instrument. However, testing may proceed on another instrument.

3. In the event the screening and confirmation tests results are not identical, the confirmation test result is deemed to be the final result upon which any action shall be based.

4. Following the completion of the testing, the BAT and volunteer shall date and sign the certification form as described in the procedures for screening tests.

5. The BAT shall transmit all results to the District in a confidential manner.

M. If a volunteer refuses to complete and sign the breath alcohol testing form (Step 2), to provide breath, to provide an adequate amount of breath, or otherwise cooperate with the testing process in a way that prevents the completion of the test, the refusal shall be noted by the BAT in the “Remarks” section of the form. The testing process shall be terminated, and the BAT shall immediately notify the District. (Any of these actions constitute a “refusal” to be tested.)

N. In the event an volunteer is unable, or alleges she/he is unable, to provide an amount of breath sufficient to permit a valid breath test because of a medical condition, the BAT shall again instruct the volunteer to attempt to provide an adequate amount of breath. If the volunteer refuses to make the attempt, the BAT shall immediately inform the District. If the volunteer attempts and fails to provide an adequate amount of breath, the District shall direct the volunteer to obtain, as soon as practical after the attempted test, an evaluation from a licensed physician acceptable to the District, concerning the volunteer’s medical ability or inability to provide an adequate amount of breath. If the physician determines, in his/her reasonable medical judgment, that a medical condition has, or with a high degree of medical probability could have, precluded the volunteer from providing an adequate amount of breath, the volunteer’s failure to provide an adequate amount of breath shall not be deemed a refusal to take the test. If a licensed physician is unable to make such a determination, the volunteer’s failure to provide an adequate amount of breath shall be regarded as a refusal.

O. Any action by the volunteer deemed to be a “refusal” will subject the volunteer to discipline, including termination.

## **VI. Drug Testing and Procedures.**

A. Any unauthorized use of the drugs set forth below is prohibited.

B. Drug testing includes, but is not limited to the following drugs: cannabis (marijuana), crack, phencyclidine (PCP), LSD, heroin, cocaine, morphine, amphetamines and methamphetamines, barbiturates, opiates and opium and codeine derivatives as well as semi-synthetic opioids such as fentanyl, hydrocodone, oxycodone, hydromorphone, oxymorphone, methaqualone or benzodiazepines. Drug testing is conducted by analyzing an volunteer’s urine specimen in a two (2) stage process requiring a split sample of urine, or, when it becomes available in Carbon County, Wyoming, drug testing may be conducted using oral fluid specimens. Testing by analyzing an volunteer’s urine specimen will be conducted as follows, unless testing procedures and standards have been amended, in which event such amended procedures shall apply, and supersede the procedures set forth herein.

C. First, a screening test is performed. If it is positive for one or more of the drugs, then a confirmation test is performed for each identified drug.

D. Upon a request to the medical review officer within seventy-two hours of the volunteer having been notified of a verified positive result, and at the expense of the volunteer, a



test of the split sample may be performed by a second laboratory.

E. All drug test results are reviewed and interpreted by a medical review officer (MRO) before the results are reported to the District.

F. A volunteer will be removed from the workplace if a positive drug test results and subjects the volunteer to discipline, including termination. The removal will not take place until the MRO has interviewed the volunteer and determined the positive drug test results are from the unauthorized use of drugs and no other limited and/or legitimate medical use or explanation exists.

G. If the volunteer's test is positive, and the volunteer has not been terminated, the volunteer cannot be returned to his/her position until she/he has been evaluated by a substance abuse professional or MRO, has complied with recommended rehabilitation, and has a negative result on a return-to-duty drug test. Follow-up testing at the volunteer's expense to monitor the volunteer's continued abstinence from drug use is required.

H. To ensure the appropriate chain of custody and specimen control are maintained, the collection of urine specimens and testing will be conducted as follows, unless procedures and standards have been amended, in which event such amended procedures shall apply, and supersede the procedures set forth herein:

1. Upon the donor's arrival at the designated collection site, the collector will request the donor to provide positive identification. The donor will be required to complete a pre-test information form which serves as an identification document for the specimen collected. On the donor's copy of the form, the donor will be allowed to list prescription and non-prescription drugs currently being used (as a "memory jogger") which may affect the outcome of the test.

2. The donor will be required to remove any unnecessary outer garments and to leave any purses, briefcases, or similar items outside the collection area. The donor will be required to wash (with water only) and dry his/her hands before the test is administered. The donor will then remain in the collection area and not have access to water fountains, faucets, soap dispensers, cleaning agents, or any other material which could be used to adulterate the specimen. Any transfer of the specimen from the collection container to another specimen bottle will be observed by the donor.

3. The donor shall urinate into a collection container or a specimen bottle capable of holding at least 45 ml. If a collection container is used, the collection site person, in the presence of the donor, shall pour the urine into two specimen bottles. Thirty (30) ml shall be poured into one bottle to be used as the primary specimen, and at least fifteen (15) ml shall be poured into the other bottle to be used as the split specimen. Both bottles shall be shipped in a single shipping container together with copies one, two, and the split specimen copy of the chain of custody form to the laboratory.

4. If the test result of the primary specimen is positive, the donor may request the medical review officer (MRO) direct the split specimen be tested in a different Department of

Health and Human Services (DHHS) - certified laboratory for presence of the drug(s) for which a positive result was obtained in the test of the primary specimen. The MRO shall honor such a request if it is made within seventy-two (72) hours of the donor having been notified of a verified positive test result. When the MRO informs the laboratory in writing that the donor has requested a test of the split specimen, the laboratory shall forward to a different DHHS- approved laboratory the split specimen bottle, with seal intact, a copy of the MRO request, and the split specimen copy of the chain of custody form with appropriate chain of custody entries. The result of the test of the split specimen shall then be transmitted by the second laboratory to the MRO. The cost of the split specimen testing shall be borne by the donor.

5. The identification label(s) on the specimen bottle(s) shall contain the date of collection and required identifying information. The donor providing the specimen shall initial the label on the specimen bottle(s), using initials corresponding with the name on the chain of custody form. The donor providing the specimen(s) is required to read and sign a certification statement certifying the urine in the specimen bottle(s) came from his/her body at the time of collection. Refusal to sign this statement will be noted on the certification statement form by the collector. Refusal to sign the statement may result in discipline, including termination.

6. Upon notification by the collection site that a donor has failed to appear for his/her scheduled collection, the District will inquire of donor the reason(s) for failing to appear. If the donor provides a legitimate reason for failing to report, no disciplinary action will be taken against the volunteer; if no legitimate reason for failing to report is provided, disciplinary action, including termination, may be taken. The department head shall determine whether or not legitimate reasons exist.

7. In the event a donor refuses to provide a specimen, the collection site and/or the District shall advise the donor that refusal to provide a specimen shall result in termination. In the event the donor still refuses to provide a specimen, the donor shall be terminated.

8. In the event a donor fails to provide a sufficient quantity of urine (i.e., at least 45 ml), the collection site will meet with the donor to see if she/he has a legitimate reason, and she/he will be required to take the drug test within four (4) hours of the meeting. If the donor does not have a legitimate reason, the failure to provide a sufficient quantity of urine shall be treated as a refusal to provide a specimen. In the event a donor is unable, or alleges she/he is unable, to provide a sufficient quantity of urine because of a medical condition, the collection site shall again instruct the donor to attempt to provide a sufficient quantity of urine. If the donor refuses to make the attempt, the collection site shall immediately inform the District. If the donor attempts and fails to provide a sufficient quantity of urine, the District shall direct the donor to obtain, as soon as practical after the attempted test, an evaluation from a licensed physician acceptable to the District, concerning the volunteer's medical ability or inability to provide a sufficient quantity of urine. If the physician determines, in his/her reasonable medical judgment, that a medical condition has, or with a high degree of medical probability could have, precluded the donor from providing a sufficient quantity of urine, the donor's failure to provide a sufficient quantity of urine shall not be deemed a refusal to take the test. If a licensed physician is unable

to make such a determination, the donor's failure to provide a sufficient quantity of urine shall be regarded as a refusal.

I. Drug testing programs are now allowed to use oral fluid specimens (Federal Register/Vol. 84, No. 207/ Friday, October 25, 2019). When such a method of testing for drugs becomes available in Carbon District, the District may elect to use oral fluid specimens in addition to, or in lieu of drug testing using urine specimens. Such oral fluid specimen testing for drugs shall be done in accordance with the rules and regulations adopted and set forth in Federal Register/Vol. 84, No. 207/ Friday, October 25, 2019, as may be amended from time to time.

J. All volunteers have the right to refuse to undergo drug testing as provided herein. volunteers who refuse to undergo testing will be terminated.

**VII. Notification and Reporting Certain Prescription Medications**

A. If an volunteer is taking a prescribed medication that may impair the volunteer's ability to perform job functions in a safe and satisfactory manner, the volunteer is required to provide their department head notice of such use. The volunteer may be required to obtain documentation from their prescribing physician confirming the volunteer's ability to perform the job functions of their position in a safe and satisfactory manner while taking the prescribed medication. Volunteers shall not drive at any time they have been advised by a physician that it will adversely affect his/her ability to safely operate a vehicle, off-road vehicles such as self-propelled equipment or machinery, or any other type of equipment.

**VIII. Confidentiality.** All records maintained by the District pursuant to the policy are confidential. volunteer information contained in these records may not be released except as provided by law and to the decision-maker in a lawsuit; grievance or other proceeding involving an volunteer, arising out of a test administered pursuant to this policy or a determination that the volunteer engaged in prohibited conduct. Such proceedings include, without limitation: workers' compensation; unemployment compensation or other benefit-related proceedings; any other person when authorized in writing by the volunteer.

**IX. Advisement of Alcohol and Drug Testing.** Each volunteer shall be provided a copy of all of Chapter III of the Carbon County Fire Protection District Personnel and Benefits Manual (2023) [attached] and this Alcohol and Drug Testing regulation, as may be approved by the Board of Directors from time to time. Each volunteer is required to read and sign and provide a receipt acknowledging receipt of these provisions. It is the responsibility of each volunteer to be familiar with the District's policies and the provisions of this Appendix B.

**X. AT WILL EMPLOYMENT STATUS MAINTAINED.** Nothing in this regulation shall in any way abrogate the employment-at-will status of the District's volunteers and do not modify or restrict the District's rights as set forth in Section 2. Employment-at-Will, Carbon District Personnel and Benefits Manual (2023).

Section 37 of the Carbon County Fire Protection District Volunteer Handbook concerning Drug and Alcohol Testing of Volunteers provides: “Drug and alcohol testing of volunteers is conducted based on the same criteria and in the same manner in which CCFPD employees are tested. Each volunteer shall be provided a copy of Alcohol and Drug Testing Procedures, as may be approved by the CCFPD Board of Directors from time to time for its employees which criteria and procedures are applicable, substituting the word “volunteer” for “employee” and “volunteer services” for “employee job duties,” EXCEPT sections III.F. and IV.G. shall not apply and a volunteer who tests positive for the presence of drugs or alcohol shall not be returned to volunteer service and shall immediately be subject to dismissal. Each volunteer is required to read and sign the Alcohol and Drug Testing Procedures, and it is the responsibility of each volunteer to be familiar with these testing procedures. In addition, Section VIII shall not apply and the signing and compliance with the CCFPD’s Alcohol and Drug Testing Procedures does not make any volunteer a CCFPD employee. Nothing contained in this Section shall in any way abrogate the status of the CCFPD’s volunteers as volunteers.”