

Rules & Regulations

Annual Hair Testing Procedure

Supersedes:

Effective: 07-28-08

A. General

1. The Commission (“PHC”) will provide the BPD with a list of all employees covered by the policy. The list will include the employee’s name, date of birth, date of hire, employee number, social security number (for tracking purposes), and rank/title.
2. PHC and Boston EMS (“the Department”) will update the list by notifying BPD promptly of the identities of any newly hired employees covered by the policy, any employees who are terminated, and any employees who have changed rank/title.
3. The Boston Police Department’s Occupational Health Office (“BPD”) will identify employees for testing pursuant to the BEMS Substance Abuse Testing Policy (“the policy”) on a weekly basis in accordance with these procedures.

B. Employee Notification

1. On or about the fifteenth (15th) day of each calendar month, the Department will send a general notice by electronic mail or other means selected by the Department to all employees reminding them that they are obligated under the policy to submit hair specimens for drug analysis as directed during the period thirty (30) days before to thirty (30) days after their birthdays
2. On or about the last day of every calendar month, PHC will send a written notice to all employees whose birthdays fall in the month after the ensuing calendar month that reminds them of their obligations to submit a hair specimen for drug analysis pursuant to the policy. (See Form 1)

C. Scheduling of Collections

1. Each week, no later than Tuesday, the BPD will send a list to the Department that identifies the employees eligible to be tested during the following week. BPD will simultaneously inform the Department of the times and dates during the week on which specimen collection can be done.
2. Upon receiving the BPD list, the Department will take the following action:

- a. Check the Telestaff schedule to determine which employees are active and scheduled to work that following week when testing is available and tentatively schedule as many employees as possible. The Department shall determine whether an employee's partner is also subject to an annual hair test under the policy and, if so, shall schedule both the employee and his/her partner to appear for specimen collection at the same time. The list of employees scheduled to appear for testing the following week will then be returned to BPD.
 - b. If any of the employees on the BPD list are on extended leaves of absence, the Department will send a written order to appear for specimen collection. (See Form 2A). The order shall specify the date, time, and location of the employee's specimen collection and shall be sent by certified mail to the employee's home address.
 - c. The Department shall inform the BPD of the employees it has tentatively scheduled for specimen collection no later than Thursday before the week in which the collection will be conducted.
3. Using the schedule provided by the Department, the BPD shall prepare a written notice to appear for specimen collection for each employee to be tested in the following week. The notice shall specify the date, shift, and location of the employee's specimen collection. The BPD shall forward the notice(s) to the Department's Professional Standards Division.
4. The Department's Professional Standards Division shall deliver the written notices to appear to the applicable Shift Commander(s). The Shift Commander or designee shall give the employee the written order to appear during the employee's work shift and make any necessary arrangements for the employee to appear for specimen collection as directed. Except in the case of an employee being notified by certified mail, no staff shall notify an employee of his/her order to appear in advance of the shift on which the employee must appear.
5. An employee shall not be relieved of duty during a shift on which he/she is scheduled to appear for specimen collection except in case of an emergency. If an employee who has been informed of his/her obligation to appear for specimen collection leaves work during his/her shift without first providing a specimen or without the express approval of the Shift Commander, the Shift Commander shall report the fact immediately to the Professional Standards Division.
6. Each week, the BPD shall provide a summary of all employees that reported for testing, and whether or not an adequate sample was collected.
7. If an employee is absent or otherwise unavailable on the day that BPD and the Department scheduled him/her to appear for specimen collection, the

Department will attempt to schedule a substitute employee, provided that the substitute is subject to testing under the policy.

D. Inadequate Specimens

1. If the BPD is unable to obtain three (3) hair specimens from an employee who appears for collection, it shall give the employee a written order from the Department advising the employee that he/she must not cut or shave any head or non-genital body hair pending further collection. See Form 3.
2. If the initial testing laboratory reports that an employee's hair specimen was inadequate for any reason, BPD and the Department will schedule another collection, provided that the time for testing the employee under the policy has not expired.