


EXECUTIVE SUMMARY



To: Bogdan Vitas, City Manager

Cc: Shawn Smith, City Attorney
David Fernandez, Asst. City Manager

From: Rogelio Hernandez, Acting Manager / KWT 

Date: August 21, 2013

Subject: Approval and Adoption - Substance Abuse Management Statement (SAMS)
Policy Plan Revision of 2013 / City of Key West Transit Department

Action Statement:

This is a request to approve a resolution adopting the update to the required City of Key West Transit Department (KWT) Substance Abuse and Management Statement (SAMS) Policy Plan as it relates to drug and alcohol test requirements and procedures mandated for Safety Sensitive employees of public transportation providers via the Federal Transit Administration (FTA), the US Department of Transportation (US DOT) and the Florida Department of Transportation (FDOT).

Project History:

As federal and state agencies update or revise requirements, the City is required to update their plan documents. Florida Administrative Code (FAC), Section 14-90, 49 CFR, Part 40, USDOT requires that all public transit providers participate in and meet compliance with mandated drug and alcohol testing as well as specific related policies and procedures. This program is referred to as the Substance Abuse and Management Statement document and is used to provide the agency with tools and resources to assure a drug and alcohol free workplace for employees in Safety Sensitive positions of public transit. Some types of tests mandated under the SAMS policy include "pre-employment screening, random drug testing, alcohol testing, and post accident and reasonable suspicion tests". All of which follow a very rigid chain of custody mandated by FTA and FDOT which make it difficult to adulterate or substitute in the approved test environment.

The revisions to the original policy and program that was approved by Resolution No. 11-215, on July 19, 2011, require that Key West Transit update and revise the department policy to reflect changes made within the Department or to the FTA/ FDOT regulations.

To assure continued compliance with this program KWT amended the policy covering management guidelines and is required to formally distribute and reaffirm that all employees funded by transit dollars, or who provide a specific transportation related function, are included in this program.

Option #1

Option #1 would see the City approving this resolution to adopt the revised SAMS policy for the City of Key West Transit Department as regulated by 49 CFR, Part 40, with an update of August 21, 2013, and an effective date of October 1, 2013.

Advantages / Disadvantages and Fiscal Impact (Option #1):

The advantage is that revision to KWT policy and management statement meets all compliance issues for Federal and State funding assistance. This will result in no interruption of grant funding assistance or reimbursements.

There are no disadvantages and fiscal impact as a result of the update and revision to the SAMS policy at this time.

Option #2

Option #2 would see the City take no action to revise the SAM's policy statement and not meet requirements for grant funding programs or reimbursement at this time.

Advantages / Disadvantages and Fiscal Impact (Option #2):

An advantage to not passing this resolution would result if the city should decide to not provide public transit services any longer. Disadvantages have been previously listed above, as have the fiscal impacts.

Recommendation:

Key West Transit requests and recommends that the City Commission approve Option #1 – Revised Substance Abuse Management Policy for safety sensitive personnel as referenced above.

CH/rh

Attachments (2)

File: Executive Summary (SAMS POLICY REVISION October 2013) Effective 10-01-13