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July 1, 2012

To: Regional Managers
Directors, Local Offices, Department of Child Services

From: James W. Payne, Director
Melissa Norman, Deputy Director of Permanency and Practice Support
Dave Judkins, Deputy Director of Field Operations
Doris Tolliver, Human Resource Director
Jeff Lozer, General Counsel

Subject: Employee Drug and Alcohol Testing
DCS-12-02

The Indiana Department of Child Services (DCS) is committed to partnering with families and communities to provide safe, nurturing, and stable homes for children and/or older youth under DCS care and supervision. In fulfilling our mission, DCS will begin to conduct drug and/or alcohol testing on DCS employees and prospective DCS employees. This administrative letter outlines the DCS Drug Free Workplace policy and the guidelines for drug and/or alcohol testing for DCS employees and prospective DCS employees.

The purpose of employee drug and/or alcohol testing is to provide a safe and drug-free work environment for our employees, clients of DCS, and the public. The use of illegal drugs by DCS employees, on or off duty, will not be tolerated.

No DCS employee shall unlawfully manufacture, distribute, dispense, or possess a controlled substance or use alcohol while in the course and scope of employment.

No DCS employee shall report for duty or remain on duty while having any measurable amount of alcohol in his/her system (which for enforcement purposes is defined as .02), or while having any measurable trace of a controlled substance in his/her system for which the employee does not have an authorized prescription.



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DCS Testing Designated Positions

DCS employees who:

1. Work directly with children, older youth, and families;
2. Transport children and/or older youth;
3. Are in a decision-making role with regard to the welfare of children and/or older youth;
or
4. Have access to sensitive information (e.g. Social Security Numbers, criminal background, personal health information)

are subject to post-offer/pre-employment and random drug and/or alcohol testing.

The following positions have been identified as those for which post-offer/pre-employment and random drug testing will occur:

1. Family Case Manager 2;
2. Family Case Manager Supervisor 4;
3. Family Case Manager Supervisor 3;
4. County Welfare Director E7;
5. County Welfare Director E6;
6. County Welfare Director E5; and
7. County Welfare Director E4.

Employees will be individually notified if their position has been identified as a testing designated position. Each employee in a testing designated position will be asked to acknowledge in writing that he/she has received and read the notice. If an employee believes his/her position has been wrongly classified as a testing designated position, the employee may file an administrative appeal in writing within fifteen (15) days of notification to the DCS Director.

Post-Offer/Pre-Employment Testing for Prospective DCS Employees

Once prospective DCS employees have been selected for hire, they will be provided instructions for complying with the agency's drug testing requirements. Prospective DCS employees will be instructed to receive testing prior to their date of hire, but will be given no more than 72 hours to comply.

Employees transferring (e.g. promotion, demotion, lateral) into a Testing Designated Position will be subject to post-offer drug testing.

Random Drug Testing

All employees whose duties include direct contact with children, older youth, and families and/or decision-making regarding the welfare of children and/or older youth shall have their names



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submitted quarterly to the contracted testing company. The DCS Director or designee shall determine the percentage of employees who shall be randomly tested. The contracted testing company will use a random selection system to generate a list of names for testing which provides an equal chance for each employee to be selected each time the random selection occurs. DCS and its contracted testing company will conduct drug testing following industry standards and regulations and in a manner consistent with employee privacy rights.

Reasonable Suspicion Drug Testing

DCS employees may be tested upon reasonable suspicion that the employee is under the influence of alcohol, illegal drugs, or controlled substance without a prescription, during the course and scope of employment.

Refusal to Submit to Testing

Employees who are in a testing designated position and refuse to submit to drug and/or alcohol testing upon request, will face disciplinary action up to and including dismissal.

Positive Test Results

Employees who receive a positive drug and/or alcohol test will face disciplinary action up to and including dismissal.

Challenging Test Results

An employee who receives a positive drug test may challenge, at the employee's expense, the result within 72 hours of the employee being notified of the positive test result.

Additional information regarding the state of Indiana [Drug and Alcohol Testing Policy](#) or the [Drug and Alcohol Testing Responsibilities and Procedures](#) may be obtained from the State Personnel Department website at: www.in.gov/spd.

Updates will be made to the DCS Policy Manual to reflect these changes. If you have any questions regarding the information presented in this administrative letter, please address them to the DCS policy mailbox at DCS.Policy@dcs.in.gov.

Sincerely,

James W. Payne, Director
Department of Child Services



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