



MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive • 101 Monroe Street • Rockville, Maryland 20850

Subject Employee Drug and Alcohol Use and Employee Drug and Alcohol Testing	Number 27-19
Originating Department Office of Human Resources	Effective Date

Montgomery County Regulations on:
 Employee Drug and Alcohol Use and Employee Drug and Alcohol Testing
 Issued by: County Executive
 Regulation Number:
 COMCOR No. 33.07.01
 Supersedes: Executive Regulation 16-13, in part
 Authority: Montgomery County Code, 2004, §33-7(b)
 Council review: Method (1)
Montgomery County Register Volume 36, Issue 8
 Comment deadline: October 31, 2019
 Effective date:
 Sunset Date: None

Summary: This regulation amends Section 32 of the Personnel Regulations to reduce the time which employees or applicants are given to request a split specimen drug test following a positive drug test.

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Please use the key below when reading this regulation:

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing regulation by proposed regulation.</i>
[Single boldface brackets]	<i>Deleted from existing regulation by proposed regulation.</i>

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SECTION 32. EMPLOYEE DRUG AND ALCOHOL USE AND DRUG AND ALCOHOL TESTING

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32-3. Prevention of Prohibited Drug Use and Alcohol Misuse by County Employees under County Regulations.

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(h) Drug and alcohol testing of job applicants and employees.

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(20) Rights of job applicants and employees subject to drug or alcohol testing.

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- (C) (i) If the MRO has verified a drug test result as positive or as a refusal to test because of adulteration or substitution, the MRO must notify the applicant or employee of the applicant's or employee's right to have a test conducted on the split specimen, as appropriate, by a different laboratory at the employee's expense.
- (ii) The MRO must tell a DOT covered applicant or employee how to request the split specimen test and give him or her at least 72 hours to request the test. Applicants or employees not covered by U.S. DOT regulations are given [10] 5 calendar days to request the test.

Approved:

Marc Elrich, County Executive

Date

Approved as to form and legality:



Office of the County Attorney

9/18/19

Date