

TOWN OF MIDDLEBURY
Policy Review Committee
Meeting Minutes – July 12, 2019

In attendance: Donna Donahue, Beth Dow (staff) and Chris English (staff)

- 1. Call to Order.** Chris called the meeting to order at 8:00 a.m.
- 2. Approve June 14, 2019 Meeting Minutes.** Donna made a motion to approve the June 14th meeting minutes, seconded by Beth. Approved unanimously.
- 3. Brief Discussion of Initial Selectboard Feedback Regarding the Draft Policy on Selectboard Committees.** The Committee reviewed the Selectboard’s June 17th discussion regarding the draft Policy on Selectboard Committees and accompanying procedure. There was a good deal of conversation around how the policy might seek to balance the need to appoint experienced and knowledgeable community members to committees with Board members’ desire to give a greater number of people an opportunity to serve. At the next meeting, the Committee will discuss potential revisions to the policy for recommendation to the Board when it takes up the matter again on August 13th.
- 4. Continue Review of VLCT Model Drug & Alcohol Policy for CMV Operators.** The Committee picked up its review of VLCT’s guidance language in the model policy and discussed those content areas in which local practices for enforcing the federal law need to be specified:
 - Section 1: Applicability (pg. 3) – Recommendation: Reference should be made to Section 506 in the AFSCME Contract regarding On-Call Duty stating the expectation that CMV operators will need to remain substance-free during expected winter events and other anticipated emergency incidents.
 - Section 5a: Drug Testing Process (pg. 5) – Recommendation: In the event that a drug test produces a result of “negative dilute” the Town will require the donor to submit another specimen.
 - Section 5a: Drug Testing Process (pg. 6) – Recommendation: In the event that an employee questions the result of a drug test and requests that the split specimen be tested, the Town will pay for the second test.
 - Section 5c: Alcohol Testing Process (pg. 7) – The policy states that an employee whose alcohol test shows a concentration of 0.02% to 0.039% shall be removed from safety-sensitive duties for 24 hours, even though such a concentration is not considered a positive test. Subsequent to the 24-hour removal period, the employees should meet with a Town representative to discuss the test result and the need to avoid alcohol from any source before or during work.

Recommendation: Given that this conversation has an HR element to it and could lead to an EAP referral, the Committee discussed whether the employee should meet with the DPW Operations Director or the Town Manager, but reached no firm conclusion. It was agreed that Chris and Beth would discuss the question with Bill and Kathleen.

In the interest of efficiency, it was agreed that Chris and Beth would go over the remaining policy guidance areas together the prepare recommendations to discuss with the Committee at its next meeting.

Next Steps. The Committee will meet again on Friday, July 26, at 8:00 a.m. to go over the recommendations regarding the remaining policy guidance areas.

The meeting adjourned at 9:05 a.m.

Submitted by:

Chris English
Assistant Town Manager