

WAIVER OF CONSTITUTIONAL RIGHTS AND CONSENT TO PARTICIPATE IN DRUG TESTING

Background

The City of Salem is a drug free work place and wants to assure the safety, health, and well-being of its employees. As part of that commitment, the City has instituted a voluntary random drug testing program for non-represented employees under Human Resource Rule 19.04 and 19.07. Random drug testing implicates an individual's constitutional rights under the Fourth Amendment of the United States Constitution and Article I, Section 9 of the Oregon Constitution. If an employee chooses to participate in random drug testing, the employee must sign the voluntary waiver below.

Participation in the random drug testing program is not a condition of continued employment with the City and choosing not to participate will not subject an employee to an adverse employment action. If an employee chooses not to participate in random drug testing, the employee should not sign the waiver below.

Waiver and Consent to Participate in Drug Testing

I understand that random drug testing is considered a search under the Fourth Amendment of the United States Constitution and Article I, Section 9 of the Oregon Constitution and that if I wish to voluntarily participate in the City's random drug testing program I must waive those rights.

I understand that if I choose to participate in the drug testing program that I will be required to provide a valid specimen of my urine for purposes of testing for drugs.

I understand that if I test positive for drugs that I may be referred to a medically supervised drug treatment program as a condition of my employment, be required to enter into a last chance agreement, and if there is a second positive result, disciplined up to and including termination.

I understand that random drug testing is not a condition of my employment and that if I choose not to participate in the drug testing program that I will not be subjected to any adverse employment action.

I understand that I can revoke this waiver at any time prior to the time that my urine is submitted for testing.

I have carefully read the foregoing and understand it completely and do knowingly, intelligently, and voluntarily waive my rights under the Fourth Amendment of the United States Constitution and Article I, Section 9 of the Oregon Constitution for the purpose of participating in the City's random drug testing program.

Printed Name

Signature

Date