



IRVINE SWIM LEAGUE

IRVINE SWIM LEAGUE PRE-EMPLOYMENT BACKGROUND AND DRUG TEST POLICIES

Overview

- All coaching candidates age eighteen (18) years old or over, whether paid or volunteer, must undergo a pre-employment background check and ~~a pre-employment drug screen~~ **agree to the League's drug screen policy** before each and every season.
- Failure to submit to the background check and ~~drug test~~ **drug screen policy** will result in the candidate being ineligible for hiring.
- Adverse results on either the background check or drug test may result in the candidate being ineligible for hiring.

Pre-Employment Background Checks

The Irvine Swim League ("ISL") recognizes the importance of maintaining a safe swimming environment with Coaches who are honest, trustworthy, qualified and reliable. For that reason, before an individual who is eighteen (18) years old or over is hired and approved (whether in a paid or unpaid/volunteer capacity) to be a Coach for an ISL member team, ISL will conduct a background check that will include, but not be limited to, a search of criminal records, sex offender data, department of corrections and county criminal records, as well as other relevant information that is reasonably available. Consistent with this policy, all candidates for hire will be asked to sign an Employee Background Check Authorization and Release form. ISL will comply with the requirements of the Fair Credit Reporting Act and any other federal, state or local jurisdictional requirements. ISL will not hire any individual who refuses to sign the Authorization and all background check procedures. Any background check, which shows an arrest or conviction for a felony, or an arrest or conviction for a misdemeanor crime against a minor, will result in the candidate being ineligible for hiring.

Substance Abuse Policy

ISL's policy is intended to comply with all state laws governing drug testing and is designed to safeguard privacy rights to the fullest extent of the law.

Statement of Purpose

The health and safety of the ISL coaches and our swimmers are of paramount importance. Considering the life-saving role that our Coaches perform each day they are working, the use and/or abuse of illegal substances is inconsistent with the behavior expected of our Coaches and can threaten our swimmers. It also endangers the reputation and integrity of the League. ISL is committed to maintaining a safe and healthy environment free from the influence of illegal drug use. This behavior will not be tolerated by ISL and will be dealt with accordingly.

Prohibitions

ISL policy prohibits the following:

1. Unlawful or unauthorized use, possession, manufacture or attempted manufacture, sale or attempted sale, purchase or attempted purchase, distribution or attempted distribution, impairment by or under the influence of illegal drugs (including the possession of drug paraphernalia), controlled substances, or any other intoxicants on the premises of any pool facility used by a ISL member team ("ISL Team Facility") or during any practice, meet, or other team activity.
2. Arrest under any criminal drug statute under circumstances that adversely affect the League's regard or reputation in the community.
3. Conviction under any criminal drug statute.
4. Failure to notify the League of any arrest or conviction under any criminal drug statute within five days of

the arrest or conviction.

5. Switching or adulterating any sample submitted for testing.
6. Refusal to complete a Consent Form prior to testing or consenting to the pre-employment testing.
7. Refusing to sign a statement agreeing to abide by the ISL's Substance Abuse Policy.

Pre-Employment

~~In order to implement this policy, ISL requires that all coaching candidates for hire that are eighteen (18) years or older participate in the League's pre-employment drug testing program for the presence of amphetamines, cocaine, marijuana, opiates, phencyclidine (PCP) and any other illegal drug. Candidates for hire must sign, prior to testing, an approved form consenting to testing and, to the release of the test results, to authorized ISL officials. Any offer of employment by ISL is expressly conditioned on the confirmation of a negative test result for illegal substances. The ISL will not hire any applicant who fails to test negatively, and no new hire may report to work to their respective teams, prior to receipt of this negative confirmation by the ISL.~~

In order to implement this policy, ISL has implemented a random drug testing policy. Each year the league will randomly choose 25% of the coaches that are eighteen (18) years or older to participate in the League's testing program for the presence of amphetamines, cocaine, marijuana, opiates, phencyclidine (PCP) and any other illegal drug. Names will be chosen no later than the first Friday of the season and tests must be completed within 10 days of notification. Coaches who attend college out of town may request an extension directly from the ISL Executive Director. The league will pay for drug testing for all coaches selected. Candidates for hire must sign, prior to testing, an approved form consenting to testing and, to the release of the test results, to authorized ISL officials. Any offer of employment by ISL is expressly conditioned on the confirmation of a negative test result for illegal substances. Failure of any drug testing will be grounds for immediate dismissal from employment with ISL.

Testing Procedures

All testing is conducted by licensed or certified laboratories with chain of custody guidelines and is designed to safeguard the privacy rights of Coaches to the fullest extent of the law. All Coaches subject to pre-employment testing must sign, prior to testing, a Drug Testing Screen Consent & Release form consenting to the testing and consenting to the release of the test results to authorized ISL officials.

Notice of Results

ISL will notify Coaches of the results of the pre-employment test within one week after it receives them from the laboratory, only when a POSITIVE result occurs. To preserve the confidentiality ISL strives to maintain, the Coach will be given electronic notification or a phone call if a positive result occurs and what the next step is.

Positive Test Results

If the Coach receives notice that the Coach's test results were confirmed positive, the Coach will be given the opportunity to explain the positive result following the Coach's receipt of the test result. Each Coach has the option to request that another test be taken, at the Coach's sole cost and expense, within 48 hours of notification of the positive results. The re-test must be done at a laboratory under contract with the ISL's outside testing vendor. The ISL will not hire any applicant who fails to test negatively (either following the first test or, if elected by the Coach, the re-test) and no new hire may report to work to their respective teams prior to receipt of this negative confirmation by the ISL.

Diluted Specimen

If the urine specimen provided by Employee is determined by the ISL's outside testing vendor to be negative and "diluted", the Employee shall be given the opportunity to take another test. A second "dilute" test result shall disqualify the Employee from employment with the ISL. In order to avoid a diluted result, Employees are encouraged to refrain from drinking excessive amounts of fluids prior to the testing.

Arrest or Conviction under Criminal Drug Statute

Coaches must notify ISL officials within five business days of any arrest or conviction under any criminal drug statute.

Condition of Employment

Compliance with ISL substance abuse policy is a condition of employment. Failure or refusal of a candidate to cooperate fully, sign any required document or submit to any test will be grounds for the candidate being ineligible for hiring.

Confidentiality

ISL will make every effort to keep the results of drug tests confidential. Only authorized persons with a need to know will have access to the results. The Coach will be asked for consent before test results are released to anyone else.