

**Drug Free Workplace Safety Policy  
Implemented 1-1-2006**

For

**MCGREGOR BAPTIST CHURCH**

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**Revised 2-8-2022**

All references to “THE COMPANY” in this document refer to MCGREGOR BAPTIST CHURCH.

## 1. Policy

MCGREGOR BAPTIST CHURCH complies with the **State of Florida Agency for Health Care Administration and Division of Workers Compensation** regulations regarding drug and/or alcohol testing of employees. This policy is implemented pursuant to the drug-free workplace program requirements under Florida Statute 440.102 and Administrative Rule 59A-24 of the State of Florida Agency for Health Care Administration. Before an offer of employment is made, an applicant will be informed of THE COMPANY’s drug-free workplace policy and have any questions answered. Employees and applicants may be tested for any of the reasons or conditions set forth in sections 2 through 5 of this policy. MCGREGOR BAPTIST CHURCH will not tolerate any of the following behaviors by its employees:

- Use of illegal drugs.
- Abuse of legal drugs (prescription or over the counter).
- Abuse of alcohol
- Possession of illegal drugs or prescription drugs obtained illegally.

MCGREGOR BAPTIST CHURCH uses laboratory-based urine testing or approved instant test kits to screen employees for drug abuse and laboratory-based blood test in the case of alcohol testing. All laboratories are DOT approved and certified by ACHA. (Agency for Health Care Administration). Refusal to submit to testing OR tampering with a specimen (which includes providing a counterfeit specimen) violates THE COMPANY’S Drug Free Workplace Safety Policy and will be treated as a positive confirmed test.

Employees who are administrated by a separate US Department of Transportation (DOT) Commercial Drivers Drug-Free Workplace and Safety policy will be held to the standards of that policy. There are several differences in the 2 policies including which forms, which labs and what type of alcohol testing are allowed to be performed. The US DOT policy will always take precedence over this State of Florida Policy if it is applicable. (See separate US DOT policy.)

The following substances may be tested for:

| <u>Drug</u>   | <u>EMIT</u><br>(screen) |       | <u>GC/MS</u><br>(final) |       |
|---|-------------------------|-------|-------------------------|-------|
| <i>The following constitutes a 5 panel Test</i>   |                         |       |                         |       |
| Marijuana (Delta-9 Carboxy-THC)   | 50                      | ng/mL | 15                      | ng/mL |
| Cocaine (Benzoylecgonine)   | 150                     | ng/mL | 100                     | ng/mL |
| Opiates (Morphine/Codeine)  | 2000                    | ng/mL | 2000                    | ng/mL |
| Heroin (6-Acetylmorphine)   | 10                      | ng/mL | 10                      | ng/mL |
| Phencyclidine (PCP)   | 25                      | ng/mL | 25                      | ng/mL |
| Amphetamine & Methamphetamine   | 500                     | ng/mL | 250                     | ng/mL |
| MDMA (Ecstasy)  | 500                     | ng/mL | 250                     | ng/mL |
| <i>Substances listed above, in addition to the following, constitutes an 8 panel test</i> |                         |       |                         |       |

|   |     |       |     |       |
|---|-----|-------|-----|-------|
| Barbiturates  | 300 | ng/mL | 150 | ng/mL |
| Benzodiazepines   | 300 | ng/mL | 150 | ng/mL |
| Methaqualone  | 300 | ng/mL | 150 | ng/mL |
| <i>Substances listed above, in addition to the following, constitutes a 10 panel test</i> |     |       |     |       |
| Propoxyphene  | 300 | ng/mL | 150 | ng/mL |
| Methadone   | 300 | ng/mL | 150 | ng/mL |

The levels and substances may change in accordance with State of Florida requirements.

## 2. Random Testing

The state of Florida does not require random drug testing of employees. However, this company reserves the right to institute a random drug testing program at any time, by giving a 30-day notice to its current employees. No notice is required to be given to new or prospective employees. The random program will be administrated by a non-biased 3<sup>rd</sup> party. Frequency of testing and other testing protocol will be stated when and if notice of random drug testing program is given.

## 3. Post-Accident Testing

Drug and alcohol testing must be performed after every reportable accident within a reasonable amount of time, but not later than thirty-two (32) hours after the accident. Alcohol testing may be conducted but must be within eight (8) hours of an accident. Testing may include up to a 10 Panel urine drug test and blood alcohol test.

MCGREGOR BAPTIST CHURCH has the right to contact any medical facility treating the employee to ask that a drug and alcohol test be performed. MCGREGOR BAPTIST CHURCH also has the right to obtain from the employees' medical records, the result of any drug and/or alcohol test. If an employee refuses to allow the test or tries to stop the release of the specimen or any reports, it will result in the immediate medical disqualification and possible termination of employment.

An employee who fails to report an accident to MCGREGOR BAPTIST CHURCH, and who fails to comply with the post-accident requirements of this policy, will be presumed to be positive for the presence of a controlled substance resulting in the medical disqualification for employment with MCGREGOR BAPTIST CHURCH.

An employee who tests positive in a confirmed drug test may forfeit his or her eligibility for all workers' compensation medical and indemnity benefits.

## 4. Reasonable Cause Testing

Employees may be tested for drugs and/or alcohol when MCGREGOR BAPTIST CHURCH feels that there is a reasonable cause due to the conduct of the employee. A supervisor who sees suspicious behavior may request a drug and/or alcohol test or ask for a second opinion from another supervisor. All actions will be documented by the supervisor and provided to the Medical Review Officer (MRO) if asked. If two or more supervisors witness the conduct, both must submit independent written documentation.

Supervisors will remove the employee from work and ask the employee to submit to a drug and/or alcohol test.

The employee is responsible for donation of the urine specimen. Refusal may result in immediate medical disqualification of the employee and may result in loss of employment.

The supervisor will take the employee to a collection site and tell the collection personnel that the employee is to have a drug and/or alcohol test based upon reasonable suspicion.

The supervisor will explain to their employee that they will be notified of the results, after the results have been reviewed by the Medical Review Officer. Until the results of the test have been reported, the employee will be suspended, and is not to return to work until having been told by MCGREGOR BAPTIST CHURCH the outcome of the investigation. MCGREGOR BAPTIST CHURCH will then instruct the donor that transportation will be available if desired to any reasonable destination that the employee selects.

## **5. Return-to-Duty and Follow-up Testing**

MCGREGOR BAPTIST CHURCH may provide the option to employees who have tested positive, to complete a substance abuse program as provided by an Employee Assistance Program professional OR Substance Abuse Professional. The employee must complete and provide all testing that the EAP or SAP recommends, as well as an initial return-to-duty negative drug screen. This option is at the discretion of THE COMPANY, and the employee may be terminated at any time- for any reason.

If the employee in the course of employment enters an employee assistance program for drug/alcohol-related problems, or a drug/alcohol rehabilitation program, THE COMPANY requires the employee to submit to a drug/alcohol test as a follow-up to the program, unless the employee voluntarily entered the program. In those cases, THE COMPANY has the option to not require follow-up testing. If follow-up testing is required, it must be conducted at least once a year for a 2-year period after completion of the program. Advance notice of a follow-up testing date must not be given to the employee to be tested.

## **6. Grounds for Termination or Discipline**

a. The actions that McGregor Baptist Church may take against an employee or job applicant on the basis of a positive confirmed drug/alcohol test result.

b. Positive Test - Denial of Florida workers' compensation benefits. Upon a positive confirmed drug/alcohol test result THE COMPANY will deny an employee workers' compensation medical or indemnity benefits under Florida Chapter 440.

c. Refusal of Test - Denial of Florida workers' compensation benefits. If an injured employee refuses to submit to a drug/alcohol test, the employee forfeits eligibility for Florida workers' compensation medical and indemnity benefits.

d. Positive Test - Termination of employment. Upon a positive confirmed drug/alcohol test result, THE COMPANY may terminate the employee's employment.

## **7. Medical Review Officer**

MCGREGOR BAPTIST CHURCH has retained the services of an independent Medical Review Officer (MRO), to ensure that every employee who is subject to testing is treated in a fair and impartial manner. An MRO is a physician, (MD or DO) licensed to practice medicine, with knowledge of substance abuse testing. It is the responsibility of the MRO to review test results of each drug test performed by the laboratory, prior to the results being made available to the designated MCGREGOR BAPTIST CHURCH official.

If an employee tests positive for any of the drugs, at, or above the specified cut-off levels, the employee will have the opportunity to discuss the results with the MRO. Upon receipt of a positive test result the MRO will:

- Contact or attempt to contact the employee, either by telephone or in person.
- Inform the employee of the positive result and will attempt to determine a medical explanation for the finding.
- Request information on recent medical history, and on medication taken within 30 days prior to the drug screen.
- Ask the employee to provide evidence, (including prescription number, pharmacy name and telephone number, as well as the prescribing physicians' name) if the MRO finds reasonable support for the positive results.
- Issue a negative test result to MCGREGOR BAPTIST CHURCH, if the employee provides acceptable evidence within the time limits requested by the MRO.
- Report a positive test result to MCGREGOR BAPTIST CHURCH, if no acceptable or legitimate evidence of a medical explanation is found. This will result in the medical disqualification of the employee.
- Will issue a positive test finding, if the employee fails to contact the MRO within 24 hours of having been instructed to do so, resulting in the medical disqualification of the employee. The employee may still provide medical evidence, and the MRO may still overturn the test results afterwards. If the MRO overturns the test MCGREGOR BAPTIST CHURCH may choose to re-instate the employee to their former position or an alternate position.

The MRO for MCGREGOR BAPTIST CHURCH is: Coastal MRO, Inc. 6202 Presidential Court, Suite A- Fort Myers, Florida 33919. The telephone number is: (800) 533-8107 or (239) 481-3611.

## **8. Medication Reporting Procedure**

An employee or job applicant may confidentially report the use of prescription or nonprescription medications to a medical review officer, both before and after a drug/alcohol test, by contacting the medical review officer directly; THE COMPANY will provide the contact information, if different than in Paragraph 7 above.

## **Consultation Rights**

Employees and job applicants may consult with a medical review officer for technical information, regarding prescription or nonprescription medication.

## **9. Reporting and Custodianship of Test Results**

The MRO will report on the final outcome of test results. The test will be reported as "negative", "positive" or "rejected". The MRO may report a result using a predefined method which has been agreed upon.

In order to protect the confidentiality of the results, all records of drug tests will be stored separately from the employee's general personnel file. These records will be kept under secure conditions at all times. Only those COMPANY officials with special authorization may view these reports or have access to the files. The information in these files will be used only to administer this policy, and to provide to certifying agencies as required under federal law. No other use will be made of this information. If at any time, or, for any reason, the management becomes aware of any breach of confidentiality of these records by any person, that person who violated the confidentiality will be terminated without recourse.

Any employee tested under the provisions of this policy has the right to view and/or receive a copy of the final test results. The employee must request this in writing from the designated COMPANY official.

## **10. Rehabilitation**

MCGREGOR BAPTIST CHURCH does not provide a drug rehabilitation program. Any employee voluntarily admitting to a drug problem, and requesting assistance in overcoming the problem, will be put in contact with an appropriate COMPANY official. The official will provide the employee with appropriate community resources. MCGREGOR BAPTIST CHURCH will not bear any of the expenses incurred by the employee in the rehabilitation process.

In those cases where an employee successfully completes a rehabilitation program, and MCGREGOR BAPTIST CHURCH elects to retain them, MCGREGOR BAPTIST CHURCH has the right to perform random urine drug screens for a period not to exceed sixty months. Any refusal to undergo testing will result in immediate termination.

**SAMHSA's National Helpline (also known as the Treatment Referral Routing Service) is a confidential, free, 24-hour-a-day, 365-day-a-year, information service, in English and Spanish, for individuals and family members facing mental health and/or substance use disorders. This service provides referrals to local treatment facilities, support groups, and community-based organizations. Callers can also order free publications and other information. Call 1-800-662-HELP (4357) or visit the online treatment locators.**

## **11. How to Challenge a Positive Test**

MCGREGOR BAPTIST CHURCH will inform an employee of a positive confirmed drug or alcohol test within five working days after receiving the test result. The employee can submit

information to MCGREGOR BAPTIST CHURCH explaining or contesting the positive test result. The employee should explain why the result is incorrect, reasons for a positive test result, or may contest the positive test result.

At the employee's request, and at the employee's expense, the MRO may request a reanalysis of the original specimen. Such retest shall be performed only at a Florida ACHA certified laboratory, shall be by GC/MS confirmation methodology only, and shall not be subject to any cut-off levels. If there is a scientifically detectable presence of the drug(s) or metabolite(s), the MRO shall report the test result as "positive". If the reanalysis fails to confirm the presence of the drug(s) or metabolite(s), the MRO shall report the test as "negative".

MCGREGOR BAPTIST CHURCH will determine whether the employee's explanation or challenge is satisfactory. Within fifteen days of receiving the explanation or challenge, MCGREGOR BAPTIST CHURCH will provide in writing, whether the employee's explanation is satisfactory or unsatisfactory, along with the report of the positive test results. The following will remain confidential: The employee's explanation or challenge, THE COMPANY's response, and the employee's positive test results.

If THE COMPANY's findings are unsatisfactory to the employee, the employee must challenge the test results in a court of competent jurisdiction. The employee must notify the laboratory and the Medical Review Officer of the challenge to the test results. The laboratory must retain the urine or blood sample until the case is settled.

#### APPLICANT CONSENT

1. By signing below, I certify that I have read (or have had read to me) and understand each section of this State of Florida Drug Free Workplace Safety Policy and Consent form. I further understand that a copy of the company's complete State of Florida Drug Free Workplace Safety Policy is available to me upon request.
2. I hereby authorize the release, to the persons or entities named below, results of the drug or alcohol test to which I submitted while I was employed by MCGREGOR BAPTIST CHURCH. By authorizing release of these test results and this information, I agree to hold harmless from any damages which may arise from the release of the test results or other information.

A. Name of person who is authorized to obtain information concerning my drug or alcohol test:

**Human Resources Director and/or Human Resources Administrative Assistant**

B. This information is being disclosed for the following purpose:

**Employment**

C. The following precise information may be disclosed:

**Prescription and Drug Testing information**

D. My consent to release the test results or other information is valid until my employment ends.

3. I hereby acknowledge that I have reviewed a copy of the State of Florida Drug Free Workplace Safety Policy. I also acknowledge that I have received a full and complete explanation of the Program, including all policies AND consent forms. I further state that I have read or will read, or have had or will have read to me, all sections of this State of Florida Drug Free Workplace Safety Policy. I understand that violation of any provision of this policy may lead to disciplinary action up to and including termination of employment, even for a first offense. Finally, I agree that neither the issuance of these policies, nor the acknowledgment of its receipt, constitutes or implies a contract of employment or a guaranteed right to recall.

I have read (or have had read to me) and fully understand all the terms and conditions of this agreement and consent form and agree in full with them.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Employee Signature



\_\_\_\_\_  
Date

\_\_\_\_\_  
Witness Signature

McGregor Baptist Church  
Florida Drug-Free Workplace Program

**OVER THE COUNTER AND PRESCRIPTION DRUGS  
WHICH COULD ALTER OR AFFECT DRUG TEST RESULTS**

|                 |   |
|-----------------|---|
| Alcohol         | All liquid medications containing ethyl alcohol (ethanol). Please read the label for alcohol content. As an example, Vick's Nyquil is 25% (50 proof) ethyl alcohol, Comtrex is 20% (40 proof), Contact Severe Cold Formula Night Strength is 25% (50 proof) and Listerine is 26.9% (54 proof)                           |
| Amphetamines    | Obetrol, Biphedamine, Desoxyn, Dexedrine, Didrex, Ionamine, Fastine   |
| Cannabinoids    | Marinol (Dronabinol, THC)   |
| Cocaine         | Cocaine HCl topical solution (Roxanne)  |
| Phencyclidine   | Not legal by prescription   |
| Methaqualone    | Not legal by prescription   |
| Opiates         | Paregoric, Parepectolin, Donnagel PG, Morphine, Tylenol with Codeine, Emprin with Codeine, APAP with Codeine, Aspirin with Codeine, Robitussin AC, Guaiatuss AC, Novahistine DH, Novahistine Expectorant, dilaudid (Hydromorphone), M-S Contin and Roxanol (morphine sulfate), Percodan, Vicodin, Tussi-organidin, etc. |
| Barbituates     | Phenobarbital, Tuinal, Amytal, Nembutal, Seconal, Lotusate, Fiorinal, Fioricet, Esgic, Butisol, Mebral, Butabarbital, Butalbital, Phenrinin, Triad, etc.  |
| Benzodiazepines | Ativan, Azene, Clonopin, dalmine, Diazepam, Librium, Xanax, Serax, Tranxene, Valium, Verstran, Halcion, Paxipam, Restoril, Centrax  |
| Methadone       | Dolphine, Metadose  |
| Propoxyphene    | Darvocet, Darvon N, Dolene, etc.  |

\*Due to the large number of obscure brand names and constant marketing of new products, this list cannot and is not intended to be all-inclusive.

The use of this form is to alert you of the possible influence that prescription drugs may have on the outcome of a drug test. It is for your information only at this time. If necessary, any questions about the outcome of a drug test will be addressed by a licensed physician.

# This Organization Participates in E-Verify

# Esta Organización Participa en E-Verify



This employer participates in E-Verify and will provide the federal government with your Form I-9 information to confirm that you are authorized to work in the U.S.

If E-Verify cannot confirm that you are authorized to work, this employer is required to give you written instructions and an opportunity to contact Department of Homeland Security (DHS) or Social Security Administration (SSA) so you can begin to resolve the issue before the employer can take any action against you, including terminating your employment.

Employers can only use E-Verify once you have accepted a job offer and completed the Form I-9.

## E-Verify Works for Everyone

For more information on E-Verify, or if you believe that your employer has violated its E-Verify responsibilities, please contact DHS.

Este empleador participa en E-Verify y proporcionará al gobierno federal la información de su Formulario I-9 para confirmar que usted está autorizado para trabajar en los EE.UU..

Si E-Verify no puede confirmar que usted está autorizado para trabajar, este empleador está requerido a darle instrucciones por escrito y una oportunidad de contactar al Departamento de Seguridad Nacional (DHS) o a la Administración del Seguro Social (SSA) para que pueda empezar a resolver el problema antes de que el empleador pueda tomar cualquier acción en su contra, incluyendo la terminación de su empleo.

Los empleadores sólo pueden utilizar E-Verify una vez que usted haya aceptado una oferta de trabajo y completado el Formulario I-9.

## E-Verify Funciona Para Todos

Para más información sobre E-Verify, o si usted cree que su empleador ha violado sus responsabilidades de E-Verify, por favor contacte a DHS.

**888-897-7781**

[dhs.gov/e-verify](https://dhs.gov/e-verify)



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# Equal Employment Opportunity is **THE LAW**

## **Private Employers, State and Local Governments, Educational Institutions, Employment Agencies and Labor Organizations**

Applicants to and employees of most private employers, state and local governments, educational institutions, employment agencies and labor organizations are protected under Federal law from discrimination on the following bases:

### **RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN**

Title VII of the Civil Rights Act of 1964, as amended, protects applicants and employees from discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment, on the basis of race, color, religion, sex (including pregnancy), or national origin. Religious discrimination includes failing to reasonably accommodate an employee's religious practices where the accommodation does not impose undue hardship.

### **DISABILITY**

Title I and Title V of the Americans with Disabilities Act of 1990, as amended, protect qualified individuals from discrimination on the basis of disability in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, barring undue hardship.

### **AGE**

The Age Discrimination in Employment Act of 1967, as amended, protects applicants and employees 40 years of age or older from discrimination based on age in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment.

### **SEX (WAGES)**

In addition to sex discrimination prohibited by Title VII of the Civil Rights Act, as amended, the Equal Pay Act of 1963, as amended, prohibits sex discrimination in the payment of wages to women and men performing substantially equal work, in jobs that require equal skill, effort, and responsibility, under similar working conditions, in the same establishment.

### **GENETICS**

Title II of the Genetic Information Nondiscrimination Act of 2008 protects applicants and employees from discrimination based on genetic information in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. GINA also restricts employers' acquisition of genetic information and strictly limits disclosure of genetic information. Genetic information includes information about genetic tests of applicants, employees, or their family members; the manifestation of diseases or disorders in family members (family medical history); and requests for or receipt of genetic services by applicants, employees, or their family members.

### **RETALIATION**

All of these Federal laws prohibit covered entities from retaliating against a person who files a charge of discrimination, participates in a discrimination proceeding, or otherwise opposes an unlawful employment practice.

### **WHAT TO DO IF YOU BELIEVE DISCRIMINATION HAS OCCURRED**

There are strict time limits for filing charges of employment discrimination. To preserve the ability of EEOC to act on your behalf and to protect your right to file a private lawsuit, should you ultimately need to, you should contact EEOC promptly when discrimination is suspected:

The U.S. Equal Employment Opportunity Commission (EEOC), 1-800-669-4000 (toll-free) or 1-800-669-6820 (toll-free TTY number for individuals with hearing impairments). EEOC field office information is available at [www.eeoc.gov](http://www.eeoc.gov) or in most telephone directories in the U.S. Government or Federal Government section. Additional information about EEOC, including information about charge filing, is available at [www.eeoc.gov](http://www.eeoc.gov).

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## Employers Holding Federal Contracts or Subcontracts

Applicants to and employees of companies with a Federal government contract or subcontract are protected under Federal law from discrimination on the following bases:

### **RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN**

Executive Order 11246, as amended, prohibits job discrimination on the basis of race, color, religion, sex or national origin, and requires affirmative action to ensure equality of opportunity in all aspects of employment.

### **INDIVIDUALS WITH DISABILITIES**

Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified individuals from discrimination on the basis of disability in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, barring undue hardship. Section 503 also requires that Federal contractors take affirmative action to employ and advance in employment qualified individuals with disabilities at all levels of employment, including the executive level.

### **DISABLED, RECENTLY SEPARATED, OTHER PROTECTED, AND ARMED FORCES SERVICE MEDAL VETERANS**

The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 4212, prohibits job discrimination and requires affirmative action to employ and advance in employment disabled veterans, recently separated veterans (within

three years of discharge or release from active duty), other protected veterans (veterans who served during a war or in a campaign or expedition for which a campaign badge has been authorized), and Armed Forces service medal veterans (veterans who, while on active duty, participated in a U.S. military operation for which an Armed Forces service medal was awarded).

### **RETALIATION**

Retaliation is prohibited against a person who files a complaint of discrimination, participates in an OFCCP proceeding, or otherwise opposes discrimination under these Federal laws.

Any person who believes a contractor has violated its nondiscrimination or affirmative action obligations under the authorities above should contact immediately:

The Office of Federal Contract Compliance Programs (OFCCP), U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210, 1-800-397-6251 (toll-free) or (202) 693-1337 (TTY). OFCCP may also be contacted by e-mail at [OFCCP-Public@dol.gov](mailto:OFCCP-Public@dol.gov), or by calling an OFCCP regional or district office, listed in most telephone directories under U.S. Government, Department of Labor.

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## Programs or Activities Receiving Federal Financial Assistance

### **RACE, COLOR, NATIONAL ORIGIN, SEX**

In addition to the protections of Title VII of the Civil Rights Act of 1964, as amended, Title VI of the Civil Rights Act of 1964, as amended, prohibits discrimination on the basis of race, color or national origin in programs or activities receiving Federal financial assistance. Employment discrimination is covered by Title VI if the primary objective of the financial assistance is provision of employment, or where employment discrimination causes or may cause discrimination in providing services under such programs. Title IX of the Education Amendments of 1972 prohibits employment discrimination on the basis of sex in educational programs or activities which receive Federal financial assistance.

### **INDIVIDUALS WITH DISABILITIES**

Section 504 of the Rehabilitation Act of 1973, as amended, prohibits employment discrimination on the basis of disability in any program or activity which receives Federal financial assistance. Discrimination is prohibited in all aspects of employment against persons with disabilities who, with or without reasonable accommodation, can perform the essential functions of the job.

If you believe you have been discriminated against in a program of any institution which receives Federal financial assistance, you should immediately contact the Federal agency providing such assistance.

*Para información en español, visite [www.consumerfinance.gov/learnmore](http://www.consumerfinance.gov/learnmore) o escribe a la Consumer Financial Protection Bureau, 1700 G Street N.W., Washington, DC 20552.*

## **A Summary of Your Rights Under the Fair Credit Reporting Act**

The federal Fair Credit Reporting Act (FCRA) promotes the accuracy, fairness, and privacy of information in the files of consumer reporting agencies. There are many types of consumer reporting agencies, including credit bureaus and specialty agencies (such as agencies that sell information about check writing histories, medical records, and rental history records). Here is a summary of your major rights under FCRA. **For more information, including information about additional rights, go to [www.consumerfinance.gov/learnmore](http://www.consumerfinance.gov/learnmore) or write to: Consumer Financial Protection Bureau, 1700 G Street N.W., Washington, DC 20552.**

- **You must be told if information in your file has been used against you.** Anyone who uses a credit report or another type of consumer report to deny your application for credit, insurance, or employment – or to take another adverse action against you – must tell you, and must give you the name, address, and phone number of the agency that provided the information.
- **You have the right to know what is in your file.** You may request and obtain all the information about you in the files of a consumer reporting agency (your “file disclosure”). You will be required to provide proper identification, which may include your Social Security number. In many cases, the disclosure will be free. You are entitled to a free file disclosure if:
  - a person has taken adverse action against you because of information in your credit report;
  - you are the victim of identity theft and place a fraud alert in your file;
  - your file contains inaccurate information as a result of fraud;
  - you are on public assistance;
  - you are unemployed but expect to apply for employment within 60 days.

In addition, all consumers are entitled to one free disclosure every 12 months upon request from each nationwide credit bureau and from nationwide specialty consumer reporting agencies. See [www.consumerfinance.gov/learnmore](http://www.consumerfinance.gov/learnmore) for additional information.

- **You have the right to ask for a credit score.** Credit scores are numerical summaries of your credit-worthiness based on information from credit bureaus. You may request a credit score from consumer reporting agencies that create scores or distribute scores used in residential real property loans, but you will have to pay for it. In some mortgage transactions, you will receive credit score information for free from the mortgage lender.
- **You have the right to dispute incomplete or inaccurate information.** If you identify information in your file that is incomplete or inaccurate, and report it to the consumer

reporting agency, the agency must investigate unless your dispute is frivolous. See [www.consumerfinance.gov/learnmore](http://www.consumerfinance.gov/learnmore) for an explanation of dispute procedures.

- **Consumer reporting agencies must correct or delete inaccurate, incomplete, or unverifiable information.** Inaccurate, incomplete, or unverifiable information must be removed or corrected, usually within 30 days. However, a consumer reporting agency may continue to report information it has verified as accurate.
- **Consumer reporting agencies may not report outdated negative information.** In most cases, a consumer reporting agency may not report negative information that is more than seven years old, or bankruptcies that are more than 10 years old.
- **Access to your file is limited.** A consumer reporting agency may provide information about you only to people with a valid need – usually to consider an application with a creditor, insurer, employer, landlord, or other business. The FCRA specifies those with a valid need for access.
- **You must give your consent for reports to be provided to employers.** A consumer reporting agency may not give out information about you to your employer, or a potential employer, without your written consent given to the employer. Written consent generally is not required in the trucking industry. For more information, go to [www.consumerfinance.gov/learnmore](http://www.consumerfinance.gov/learnmore).
- **You may limit “prescreened” offers of credit and insurance you get based on information in your credit report.** Unsolicited “prescreened” offers for credit and insurance must include a toll-free phone number you can call if you choose to remove your name and address from the lists these offers are based on. You may opt out with the nationwide credit bureaus at 1-888-5-OPTOUT (1-888-567-8688).
- The following FCRA right applies with respect to nationwide consumer reporting agencies:

#### **CONSUMERS HAVE THE RIGHT TO OBTAIN A SECURITY FREEZE**

**You have a right to place a “security freeze” on your credit report, which will prohibit a consumer reporting agency from releasing information in your credit report without your express authorization.** The security freeze is designed to prevent credit, loans, and services from being approved in your name without your consent. However, you should be aware that using a security freeze to take control over who gets access to the personal and financial information in your credit report may delay, interfere with, or prohibit the timely approval of any subsequent request or application you make regarding a new loan, credit, mortgage, or any other account involving the extension of credit.

As an alternative to a security freeze, you have the right to place an initial or extended fraud alert on your credit file at no cost. An initial fraud alert is a 1-year alert that is

placed on a consumer's credit file. Upon seeing a fraud alert display on a consumer's credit file, a business is required to take steps to verify the consumer's identity before extending new credit. If you are a victim of identity theft, you are entitled to an extended fraud alert, which is a fraud alert lasting 7 years.

A security freeze does not apply to a person or entity, or its affiliates, or collection agencies acting on behalf of the person or entity, with which you have an existing account that requests information in your credit report for the purposes of reviewing or collecting the account. Reviewing the account includes activities related to account maintenance, monitoring, credit line increases, and account upgrades and enhancements.

- **You may seek damages from violators.** If a consumer reporting agency, or, in some cases, a user of consumer reports or a furnisher of information to a consumer reporting agency violates the FCRA, you may be able to sue in state or federal court.
- **Identity theft victims and active duty military personnel have additional rights.** For more information, visit [www.consumerfinance.gov/learnmore](http://www.consumerfinance.gov/learnmore).

**States may enforce the FCRA, and many states have their own consumer reporting laws. In some cases, you may have more rights under state law. For more information, contact your state or local consumer protection agency or your state Attorney General. For information about your federal rights, contact:**

| <b>TYPE OF BUSINESS:</b>  | <b>CONTACT:</b>  |
|---|--|
| <p>1. a. Banks, savings associations, and credit unions with total assets of over \$10 billion and their affiliates</p> <p>b. Such affiliates that are not banks, savings associations, or credit unions also should list, in addition to the CFPB:</p>   | <p>a. Consumer Financial Protection Bureau<br/>1700 G Street, N.W.<br/>Washington, DC 20552</p> <p>b. Federal Trade Commission<br/>Consumer Response Center<br/>600 Pennsylvania Avenue, N.W.<br/>Washington, DC 20580<br/>(877) 382-4357</p>  |
| <p>2. To the extent not included in item 1 above:</p> <p>a. National banks, federal savings associations, and federal branches and federal agencies of foreign banks</p> <p>b. State member banks, branches and agencies of foreign banks (other than federal branches, federal agencies, and Insured State Branches of Foreign Banks), commercial lending companies owned or controlled by foreign banks, and organizations operating under section 25 or 25A of the Federal Reserve Act.</p> <p>c. Nonmember Insured Banks, Insured State Branches of Foreign Banks, and insured state savings associations</p> <p>d. Federal Credit Unions</p> | <p>a. Office of the Comptroller of the Currency<br/>Customer Assistance Group<br/>1301 McKinney Street, Suite 3450<br/>Houston, TX 77010-9050</p> <p>b. Federal Reserve Consumer Help Center<br/>P.O. Box 1200<br/>Minneapolis, MN 55480</p> <p>c. FDIC Consumer Response Center<br/>1100 Walnut Street, Box #11<br/>Kansas City, MO 64106</p> <p>d. National Credit Union Administration<br/>Office of Consumer Financial Protection (OCFP)<br/>Division of Consumer Compliance Policy and Outreach<br/>1775 Duke Street<br/>Alexandria, VA 22314</p> |
| <p>3. Air carriers</p>  | <p>Asst. General Counsel for Aviation Enforcement &amp; Proceedings<br/>Aviation Consumer Protection Division<br/>Department of Transportation<br/>1200 New Jersey Avenue, S.E.<br/>Washington, DC 20590</p>   |
| <p>4. Creditors Subject to the Surface Transportation Board</p>   | <p>Office of Proceedings, Surface Transportation Board<br/>Department of Transportation<br/>395 E Street, S.W.<br/>Washington, DC 20423</p>  |
| <p>5. Creditors Subject to the Packers and Stockyards Act, 1921</p>   | <p>Nearest Packers and Stockyards Administration area supervisor</p>   |
| <p>6. Small Business Investment Companies</p>   | <p>Associate Deputy Administrator for Capital Access<br/>United States Small Business Administration<br/>409 Third Street, S.W., Suite 8200<br/>Washington, DC 20416</p>   |
| <p>7. Brokers and Dealers</p>   | <p>Securities and Exchange Commission<br/>100 F Street, N.E.<br/>Washington, DC 20549</p>  |
| <p>8. Federal Land Banks, Federal Land Bank Associations, Federal Intermediate Credit Banks, and Production Credit Associations</p>   | <p>Farm Credit Administration<br/>1501 Farm Credit Drive<br/>McLean, VA 22102-5090</p>   |
| <p>9. Retailers, Finance Companies, and All Other Creditors Not Listed Above</p>  | <p>Federal Trade Commission<br/>Consumer Response Center<br/>600 Pennsylvania Avenue, N.W.<br/>Washington, DC 20580<br/>(877) 382-4357</p>   |

## **CONSUMER REPORT DISCLOSURE DOCUMENT**

McGregor Baptist Church may order a consumer report on you from Protect My Ministry 14499 N. Dale Mabry Hwy., Suite 201 South, Tampa, FL 33618; Phone: 1-800-319-5581, a consumer reporting agency, in connection with your application for employment. If you are hired or already work for the Company, it may order additional consumer reports on you from Protect My Ministry for employment purposes.

The consumer reports may contain information concerning your character, general reputation, personal characteristics, credit standing, and mode of living. To the extent allowed by law, the reports may contain information regarding: public records; driving records; verification of your prior employment, licenses, credentials, and education; credit reports; government watch lists; address history; Social Security number validation; and other background checks.

***THE REMAINDER OF THIS DOCUMENT IS INTENTIONALLY BLANK.***

## **Investigative Consumer Report Disclosure Document**

McGregor Baptist Church may order an investigative consumer report on you from Protect My Ministry 14499 N. Dale Mabry Hwy., Suite 201 South, Tampa, FL 33618; Phone: 1-800-319-5581, a consumer reporting agency, in connection with your application for employment. If you are hired or already work for the Company, it may order additional consumer reports on you from Protect My Ministry for employment purposes.

Such reports may contain information concerning your character, general reputation, personal characteristics, and mode of living, including information obtained from personal interviews conducted by a consumer reporting agency, most commonly with prior employers or references.

You have the right to request a complete and accurate disclosure of the nature and scope of any investigative consumer report by contacting the Company.

***THE REMAINDER OF THIS DOCUMENT IS INTENTIONALLY BLANK.***

# EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

## LEAVE ENTITLEMENTS

Eligible employees who work for a covered employer can take up to 12 weeks of unpaid, job-protected leave in a 12-month period for the following reasons:

- The birth of a child or placement of a child for adoption or foster care;
- To bond with a child (leave must be taken within 1 year of the child's birth or placement);
- To care for the employee's spouse, child, or parent who has a qualifying serious health condition;
- For the employee's own qualifying serious health condition that makes the employee unable to perform the employee's job;
- For qualifying exigencies related to the foreign deployment of a military member who is the employee's spouse, child, or parent.

An eligible employee who is a covered servicemember's spouse, child, parent, or next of kin may also take up to 26 weeks of FMLA leave in a single 12-month period to care for the servicemember with a serious injury or illness.

An employee does not need to use leave in one block. When it is medically necessary or otherwise permitted, employees may take leave intermittently or on a reduced schedule.

Employees may choose, or an employer may require, use of accrued paid leave while taking FMLA leave. If an employee substitutes accrued paid leave for FMLA leave, the employee must comply with the employer's normal paid leave policies.

While employees are on FMLA leave, employers must continue health insurance coverage as if the employees were not on leave.

Upon return from FMLA leave, most employees must be restored to the same job or one nearly identical to it with equivalent pay, benefits, and other employment terms and conditions.

An employer may not interfere with an individual's FMLA rights or retaliate against someone for using or trying to use FMLA leave, opposing any practice made unlawful by the FMLA, or being involved in any proceeding under or related to the FMLA.

An employee who works for a covered employer must meet three criteria in order to be eligible for FMLA leave. The employee must:

- Have worked for the employer for at least 12 months;
- Have at least 1,250 hours of service in the 12 months before taking leave;\* and
- Work at a location where the employer has at least 50 employees within 75 miles of the employee's worksite.

\*Special "hours of service" requirements apply to airline flight crew employees.

Generally, employees must give 30-days' advance notice of the need for FMLA leave. If it is not possible to give 30-days' notice, an employee must notify the employer as soon as possible and, generally, follow the employer's usual procedures.

Employees do not have to share a medical diagnosis, but must provide enough information to the employer so it can determine if the leave qualifies for FMLA protection. Sufficient information could include informing an employer that the employee is or will be unable to perform his or her job functions, that a family member cannot perform daily activities, or that hospitalization or continuing medical treatment is necessary. Employees must inform the employer if the need for leave is for a reason for which FMLA leave was previously taken or certified.

Employers can require a certification or periodic recertification supporting the need for leave. If the employer determines that the certification is incomplete, it must provide a written notice indicating what additional information is required.

Once an employer becomes aware that an employee's need for leave is for a reason that may qualify under the FMLA, the employer must notify the employee if he or she is eligible for FMLA leave and, if eligible, must also provide a notice of rights and responsibilities under the FMLA. If the employee is not eligible, the employer must provide a reason for ineligibility.

Employers must notify its employees if leave will be designated as FMLA leave, and if so, how much leave will be designated as FMLA leave.

Employees may file a complaint with the U.S. Department of Labor, Wage and Hour Division, or may bring a private lawsuit against an employer.

The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights.

## BENEFITS & PROTECTIONS

## ELIGIBILITY REQUIREMENTS

## REQUESTING LEAVE

## EMPLOYER RESPONSIBILITIES

## ENFORCEMENT

For additional information or to file a complaint:

**1-866-4-USWAGE**

(1-866-487-9243) TTY: 1-877-889-5627

**[www.dol.gov/whd](http://www.dol.gov/whd)**

U.S. Department of Labor | Wage and Hour Division



# EMPLOYEE RIGHTS

## EMPLOYEE POLYGRAPH PROTECTION ACT

The Employee Polygraph Protection Act prohibits most private employers from using lie detector tests either for pre-employment screening or during the course of employment.

### PROHIBITIONS

Employers are generally prohibited from requiring or requesting any employee or job applicant to take a lie detector test, and from discharging, disciplining, or discriminating against an employee or prospective employee for refusing to take a test or for exercising other rights under the Act.

### EXEMPTIONS

Federal, State and local governments are not affected by the law. Also, the law does not apply to tests given by the Federal Government to certain private individuals engaged in national security-related activities.

The Act permits polygraph (a kind of lie detector) tests to be administered in the private sector, subject to restrictions, to certain prospective employees of security service firms (armored car, alarm, and guard), and of pharmaceutical manufacturers, distributors and dispensers.

The Act also permits polygraph testing, subject to restrictions, of certain employees of private firms who are reasonably suspected of involvement in a workplace incident (theft, embezzlement, etc.) that resulted in economic loss to the employer.

The law does not preempt any provision of any State or local law or any collective bargaining agreement which is more restrictive with respect to lie detector tests.

### EXAMINEE RIGHTS

Where polygraph tests are permitted, they are subject to numerous strict standards concerning the conduct and length of the test. Examinees have a number of specific rights, including the right to a written notice before testing, the right to refuse or discontinue a test, and the right not to have test results disclosed to unauthorized persons.

### ENFORCEMENT

The Secretary of Labor may bring court actions to restrain violations and assess civil penalties against violators. Employees or job applicants may also bring their own court actions.

**THE LAW REQUIRES EMPLOYERS TO DISPLAY THIS POSTER WHERE EMPLOYEES AND JOB APPLICANTS CAN READILY SEE IT.**



WAGE AND HOUR DIVISION  
UNITED STATES DEPARTMENT OF LABOR

1-866-487-9243  
TTY: 1-877-889-5627  
[www.dol.gov/whd](http://www.dol.gov/whd)

