



# City of Margate

5790 Margate Boulevard  
Margate, FL 33063  
954-972-6454  
www.margatefl.com

## Legislation Text

---

**File #:** ID 2019-088, **Version:** 1

---

**TO:** Mayor and City Commission

**FROM:** Samuel A. May, City Manager

**DATE:** March 6, 2019

AMENDING CHAPTER 30 PERSONNEL, ARTICLE II-CIVIL SERVICE, DIVISION 2-INITIAL APPOINTMENT PROCEDURES, SECTION 30-39 - HIRING POLICY, (5) HIRING PROCESS, SECTION 30-45 DISQUALIFICATION OF APPLICANTS, AND SECTION 30-56 - IN-HOUSE APPOINTMENTS; PROVIDING FOR DRUG SCREENING AND CVSA IF REQUIRED; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

**BACKGROUND:** This proposed ordinance is to comply with the decision from federal court case *Voss v. City of Key West*. In that case, Voss challenged the City of Key West's drug testing policy for new hires, arguing that it was unconstitutional as applied to her, as a public employer's drug testing which utilizes urinalysis is a "search" that falls within the scope of the Fourth and Fourteenth Amendments. The City shall continue to perform reasonable suspicion drug testing, and random drug testing under DOT requirements. Promotional opportunities for positions that are safety sensitive, work with children, or have another state or federal mandate for testing shall continue to be drug tested and/or CVSA (computer voice stress analysis) tested.

The item was approved (5-0) by the City Commission at First Reading on February 20, 2019.

**RECOMMENDATION:** For approval.

**FISCAL IMPACT:** None.

**CONTACT PERSON:** Laurie Meyer, Human Resources Director