

CHAPTER 12.04 ALCOHOL AND DRUG ABUSE POLICY

12.04.02	<i>Purpose</i>
12.04.04	<i>Policy</i>
12.04.06	<i>Application</i>
12.04.08	<i>Employee Responsibility</i>
12.04.10	<i>Management Responsibilities</i>
12.04.12	<i>Physical Examination</i>
12.04.14	<i>Results of Drug and Alcohol Analyses</i>
12.04.16	<i>Confidentiality</i>

12.04.02 Purpose

A. It is the intention of this policy to eliminate substance abuse and its effects in the workplace. While Glenn County has no intention of intruding into the private lives of its employees, involvement with drugs and alcohol off the job can take its toll on job performance and employee safety. The Board's concern is that employees be in a condition to perform their duties safely and efficiently, in the interests of their fellow workers and the public as well as themselves. The presence of drugs and alcohol on the job, and the influence of these substances on employees during working hours, are inconsistent with this objective.

B. Employees who think they may have an alcohol or drug usage problem are urged to voluntarily seek confidential assistance from the Employee Assistance Program (EAP). While Glenn County will be supportive of those who seek help voluntarily, Glenn County will be equally firm in identifying and disciplining those who continue to be substance abusers and do not seek help.

C. Supervisors will be trained to recognize abusers and become involved in this control process.

D. This policy provides guidelines for the detection and deterrence of alcohol and drug abuse. It also outlines the responsibilities of Glenn County managers and employees. To that end Glenn County will act to eliminate any substance abuse (alcohol, illegal drugs, prescription drugs or any other substance which could impair an employee's ability to safely and effectively perform the functions of the particular job) which increases the potential for accidents, absenteeism, substandard performance, poor employee morale or damage to the County's reputation. All persons covered by this policy should be aware that violations of the policy may result in discipline.

E. In recognition of the public service responsibilities entrusted to the employees of the County, and that drug and alcohol usage can hinder a person's ability to perform duties safely and effectively, the County adopts the following policy against drug and alcohol abuse.

12.04.04 Policy

A. It is Glenn County's policy that employees shall not be under the influence of or in possession of alcohol or drugs; nor possess alcohol or drugs while on County property, at work locations, or while on duty or on a paid standby status, shall not utilize such substances while they are on a paid standby status; employees shall not sell or provide drugs or alcohol to any other employee or to any person while such employee is on duty or on a paid standby status; and employees shall not report to the job site with their ability to work impaired as a result of the use of alcohol or drugs.

B. Prescription Drugs. While the use of medically prescribed medications and drugs is not per se a violation of this policy, the following policies shall apply to prescription drugs:

1. Failure by the employee to notify his or her supervisor, before beginning work, when taking medications or drugs which could foreseeably interfere with the safe and effective performance of such employee's duties or operation by such employee of County equipment can result in discipline.
2. In exercising the supervisor's discretion in assignments of duties in the event there is a question regarding an employee's ability to safely and effectively perform assigned duties while using such medication or drugs, clearance

from a qualified physician may be required by the County.

3. For purposes of this subdivision (B) "medications or drugs which could foreseeably interfere with the safe and effective performance of such employee's duties or operation by such employee of County equipment" shall mean medications or drugs that have written warnings advising that the drug or medication could cause drowsiness or other side effects that could effect performance or judgment on the job.

C. The County reserves the right to search, with reasonable suspicion, all areas and property in which the County maintains control or joint control with the employee. Also, the County may notify the appropriate law enforcement agency that an employee may have illegal drugs in his or her possession or in an area not jointly or fully controlled by the County.

D. Employees reasonably believed to be under the influence of alcohol or drugs, upon order of the department head or the employee's immediate supervisor, shall not engage in further work until reasonable, appropriate and safe action can be taken to ensure the safety of the work place.

E. The County is committed to providing reasonable accommodation to those employees whose drug or alcohol problem classifies them as handicapped under federal or state law.

F. The County has established the EAP to assist those employees who seek help for alcohol or drug problems. Employees should contact their supervisors, the Personnel Department or the EAP counselor for additional information.

G. The Employee Assistance Program may be offered employees as an alternative to employee disciplinary action, if appropriate.

12.04.06 Application

This policy applies to all employees of and to all applicants for positions with the County. This policy applies to alcohol and to all substances, drugs, or medication, legal or illegal, which could impair an employee's ability to effectively and safely perform the functions of the job.

12.04.08 Employee Responsibility

Employees have the following responsibilities:

A. They shall not report to work or be on paid standby status while their ability to perform job duties is impaired due to on or off duty alcohol or drug use.

B. They shall not possess or use alcohol or impairing drugs (illegal drugs and prescription drugs without a prescription) during working hours or while on paid standby status, on breaks, or at anytime while on County property.

C. They shall not directly or through a third party sell or provide drugs or alcohol to any person, including any employee, while either employee or both employees are on duty or on paid standby status.

D. They shall submit to an alcohol and drug test when requested pursuant to section 12.04.10 (B) below.

E. They shall notify their supervisor, before beginning work, when taking any medication or drugs, prescription or non-prescription, as defined in paragraph (B) (3) of section 12.04.04, above.

F. They shall provide upon request a bona fide verification of a current valid prescription for any potentially impairing drug or medication identified when a drug screen/test is positive. The prescription must be in the employee's name.

12.04.10 Management Responsibilities and Guidelines

A. Managers and supervisors are responsible for reasonable enforcement of this policy.

B. Managers and supervisors may request that an employee submit to a drug or alcohol test when a manager or supervisor has a reasonable suspicion that an employee is intoxicated or under the influence of drugs or alcohol while on the job or on paid standby status.

"Reasonable suspicion" is a belief based on objective facts sufficient to lead a reasonably prudent supervisor to suspect that an employee is under the influence of drugs or alcohol so that the employee's ability to perform the functions of the job is impaired or the employee's ability to perform the job safely is reduced.

For example, any of the following may constitute reasonable suspicion:

1. Slurred speech;
2. Alcohol odor on breath;
3. Unsteady walking and movement;
4. An accident involving County property;
5. Physical altercation;
6. Verbal altercation;
7. Unusual behavior;
8. Non job required possession of alcohol or drugs;
9. Information obtained from a reliable person with personal knowledge.

C. Any manager or supervisor requesting an employee to submit to a drug or alcohol test should document in writing the facts constituting reasonable suspicion that the employee in question is intoxicated or under the influence of drugs.

D. Any manager or supervisor encountering an employee who refuses an order to submit to a drug or alcohol analysis upon request shall remind the employee of the requirements and disciplinary consequences of this policy. Where there is reasonable suspicion that the employee is then under the influence of alcohol or drugs, the manager or supervisor shall take appropriate, safe and reasonable action to ensure the safety of the employee, other employees and the work place in general.

E. Managers and supervisors shall not physically search the person of employees, nor shall they search the personal possessions of employees without the freely given consent of, and in the presence of, the employee.

F. Managers and supervisors shall notify their department head or designee when they have reasonable suspicion to believe that an employee may have illegal drugs in his or her possession or in an area not jointly or fully controlled by the County. If the department head or designee concurs that there is reasonable suspicion of illegal drug possession, the department head shall notify the appropriate law enforcement agency.

12.04.12 Physical Examination

The drug and alcohol tests may test for any substance which could impair an employee's ability to effectively and safely perform the functions of the employee's job.

12.04.14 Results of Drug and Alcohol Analysis

A. Pre-employment Physicals

1. A positive result from a drug or alcohol analysis may result in the applicant not being hired where the applicant's use of drugs or alcohol could affect requisite job standards, duties or responsibilities.
2. If a drug screen is positive at the pre-employment physical, the applicant must provide within 24 hours of request bona fide verification of a valid current prescription for the drug identified in the drug screen. If the prescription is not in the applicant's name or the applicant does not provide acceptable verification, or if the drug is one that is likely to impair the applicant's ability to perform the job duties, the applicant may not be hired.

B. During Employment Alcohol/Drug Tests

1. A positive result from a drug or alcohol analysis may result in disciplinary action.
2. If the drug screen is positive, the employee must provide within 24 hours of request bona fide verification of a valid current prescription for the drug identified in the drug screen. The prescription must be in the employee's name. If the employee does not provide acceptable verification of a valid prescription, or if the prescription is not in the employee's name, or if the employee has not previously notified the employee's supervisor pursuant to section 12.04.08 (E), the employee will be subject to disciplinary action.
3. If an alcohol or drug test is positive for alcohol or drugs, the County shall conduct an investigation to gather all facts. The decision to discipline or terminate will be carried out in conformance with applicable disciplinary policies.

12.04.16 Confidentiality

Laboratory reports or test results shall not appear in an employee's general personnel folder. Information of this nature will be contained in a separate confidential medical folder that will be securely kept under the control of the Personnel Director. The reports or test results may be disclosed to County management on a strictly need-to-know basis and to the tested employee upon request. Disclosures, without the employee's consent, may also occur under the following circumstances:

- A. The information is compelled by law or by judicial or administrative process to be disclosed;
- B. The information has been placed at issue in a formal dispute between the employer and employee;
- C. The information is to be used in administering an employee benefit plan; and
- D. The information is needed by medical personnel for the diagnosis or treatment of the employee, who, as a patient, is unable to authorize disclosure.

Employee Signature

Date

Supervisor Signature

Date