

## **DRUG-FREE WORKPLACE/DRUG FREE AWARENESS PROGRAM**

The Village recognizes that substance abuse poses a threat to the health and safety of all employees. The Village is committed to a drug and alcohol-free workplace to maintain a safe, healthy, and productive work environment. The unlawful manufacture, distribution, dispensation, possession, or use of an illegal controlled substance as defined in the Federal Drug-Free Workplace Act, is prohibited on the job or at the workplace.

Except as otherwise provided in any applicable collective bargaining agreement, the following policy shall control.

**Prohibited Conduct-** No Village employee, administrator, Elected Official or officer shall use, sell, distribute, dispense, possess, or manufacture any alcoholic beverage, illegal drugs, or any other intoxicating substance, nor be under the influence of such, while on duty, at any job site or workplace, or in a Village vehicle, a vehicle leased for Village business, or a privately owned vehicle being used for Village business. An employee who, after investigation, is found to have violated this prohibition may be referred for counseling or rehabilitation and satisfactory treatment and will be subject to criminal, civil and disciplinary penalties, up to and including termination of employment in accordance with the applicable law, rules, and regulations and/or the terms and conditions of any applicable collective bargaining agreement. Any work-related accident or injury involving a Village vehicle, equipment, and/or property where it can be demonstrated that the use of alcohol, illegal drugs, or any other intoxicants may have been a contributing factor will result in disciplinary action which may include penalties up to and including termination of employment in accordance with the applicable law, rules, and regulations and/or the terms and conditions of any applicable collective bargaining agreement.

**Use of Prescription and Over-the-Counter Drugs-** Prescription drugs must be in the possession of the individual to whom the prescription was written, taken in the dosage prescribed, and either be maintained in their original containers or have the original container in their possession at all times. Employees in public safety or safety-sensitive positions must inform their supervisors of any prescription or legal, nonprescription (i.e., over-the-counter) drugs they are currently taking that could in any way affect or impair the employee's ability to perform the job safely. The legal use of prescribed and over-the-counter drugs is permitted on the job only if it does not impair an employee's ability to perform the job safely and if it does not affect the safety or wellbeing of other individuals in the workplace.

**Non-Discrimination Policy** - The Village will not discriminate against an applicant or employee because of past substance abuse provided it can be demonstrated that the applicant/employee has received appropriate treatment and tests negative for controlled substance use. It is the current use of alcohol and controlled substances that will not be tolerated in the workplace.

**Employee Assistance** – It is the policy of the Village to work with an employee suffering from substance abuse so that the employee will receive assistance necessary to overcome dependency. An employee seeking such assistance is encouraged to contact the employee's Supervisor or Department Head to discuss the situation before problems begin to surface in the workplace. Any disclosures made by an employee will be treated as strictly confidential to the greatest extent practicable. The employee's decision to seek assistance will not be used as the basis

for disciplinary action nor used against the employee in any disciplinary proceeding.

The Village shall provide at no expense to its employees, the opportunity to participate in the Employee Assistance Program (EAP). Any employee of the Village shall have the right to attend the EAP regardless of whether the employee has exhibited signs of impairment on the job or undergone drug testing.

If an employee tests positive and does not provide the verifiable explanation referred to in the preceding paragraph, participation in the EAP for such an employee shall be mandatory. The employee may, at the discretion of the employer, be placed on a paid leave of absence during the duration of the EAP, providing that during the period of the EAP the employee demonstrates progress in his/her rehabilitation program.

The Village will provide training opportunities for its supervisory employees intended to assist in identifying those characteristics and behaviors associated with on-the-job alcohol and/or drug use.

**Employee Responsibilities** - Each employee must abide by this policy and notify the employee's Supervisor or Department Head of any criminal drug statute conviction for a violation occurring in the workplace within five calendar days of the conviction.

**Drug-Free Awareness Program** - In order to better educate its employees and to raise employee awareness of the dangers associated with drug abuse in the workplace, employees should familiarize themselves with the following awareness information:

**Dangers of Drug Abuse in the Workplace**

Employees with chemical dependence problems have a major negative impact on productivity, staff morale, and labor/management relations. Their hidden illness is responsible for:

1. Declining Performance

- poor concentration
- confusion in following directions
- noticeable change in the quality of work
- inability to meet deadlines
- errors in judgment affecting the health and safety of others
- customer complaints and injuries

## 2. Increased Costs

- five times the average sick and accident benefits
- higher job turnover, replacement, and training costs
- greater workers' compensation and health insurance payments
- 3 to 5 times more on-the-job accidents
- unemployment claims

## 3. Absenteeism and Tardiness

- double the normal rate
- repeatedly being late for work and often leaving early
- extended lunch hours
- frequent illness and accidents both on and off the job

## 4. Damaged Relationships

- emotional outbursts, over-reaction to criticism, mood swings, complaints from co-workers, associates and the public often leading to damaged relations

## **REASONABLE SUSPICION DRUG AND ALCOHOL TESTING**

In order to help provide a safe work environment and to protect staff members and the public by ensuring that Village personnel have the ability to perform their assigned duties, the Village may require employees to submit to drug/alcohol testing where there is reasonable suspicion of improper drug or alcohol use.

Employees suspected of possessing alcohol, illegal drugs, intoxicants, or controlled substances are subject to inspection and search, with or without notice. Employees' personal belongings, including any bags, purses, briefcases, and clothing and all of the Village's property, are also subject to inspection and search, with or without notice.

Employees who violate the Village's drug and alcohol abuse policy will be removed from the workplace immediately. The Village may also bring the matter to the attention of the appropriate law enforcement authorities. Any conviction for criminal conduct involving illegal drugs, intoxicants, or controlled substances, whether on or off duty, or any violation of the Village's drug and alcohol policy, including having a positive drug-test result, may lead to disciplinary action, up to and including termination in accordance with any applicable law, rules, and regulations and/or the terms and conditions of any applicable collective bargaining agreement.

To the extent a collective bargaining agreement already provides for a reasonable suspicion drug and alcohol testing policy, the rights granted to the employee in the collective bargaining agreement shall govern. An employee shall not be tested under both this Policy and the reasonable suspicion drug and alcohol policy set forth in the applicable collective bargaining agreement.