


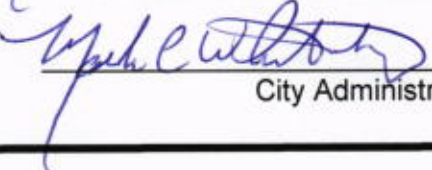


Approved:

**City of Vernon, California
Human Resources Policy and Procedure Manual**



Director of Human Resources



City Administrator

Number: III-1 Effective Date: October 20, 2015

SUBJECT: ALCOHOL AND DRUG-FREE WORKPLACE

PURPOSE:

To establish a zero-tolerance policy that maintains an alcohol and drug-free workplace and to ensure compliance with the Drug Free Workplace Act of 1988.

BACKGROUND:

The City and the public share an interest in a safe, healthy and productive workforce. City employees provide a variety of services. Many employees are responsible for or operate expensive, heavy and/or high-speed equipment or vehicles. Other employees are responsible for public safety and security. Some employees work with or around electrical power and are required to work in challenging environments.

The intent of this policy is to maintain a safe, healthy, productive workforce, and to eliminate and prevent substance abuse and its effects in the workplace. The City's concern is that employees be in a condition to perform their duties safely and effectively, in the interests of their fellow workers and the public, as well as themselves. For purposes of this policy, impair or impairment shall be considered use by an employee of alcohol and/or controlled substances, drugs, or medication, legal or illegal, which impairs an employee's physical and/or mental ability to perform safely and effectively the functions and duties of his or her position.

Both legal and illegal drugs can be broadly categorized as depressants, stimulants or hallucinogens. Most drugs, even in very low doses, may affect the capacity of an employee to carry out their duties safely. There are also a number of chemicals used in workplaces, which can have a similar effect of types of drugs. Where these are used,

training of hazard control should be employed and employees should be educated regarding the potential hazards.

POLICY:

The City of Vernon ("the City") is the recipient of federal funds that require certification and notification to employees regarding promoting and maintaining a drug-free workplace. In accordance with the requirements of 41 U.S.C. 702-706, the City is required to notify employees that:

1. The unlawful manufacture, distribution, dispensation, possession or use of a controlled substance by City employees is prohibited on any City worksite, or in any area controlled partially or fully by the City. Controlled substances are defined by Federal law (21 U.S.C.S. 812) to include any illegal drug or prescription drug which has not been prescribed for the individual by a licensed physician for the treatment of a current medical condition.
2. Any employee who violates the prohibition on controlled substances in a City workplace or in an area either partially or fully controlled by the City may be subject to disciplinary action up to and including termination.
3. All employees shall abide by this policy and report for duty without any foreseeable impairment of drugs and alcohol.
4. Employees are required to notify their Department Head or designee of any criminal drug statute conviction (include a plea of nolo contendere) for a violation occurring in the workplace or in the course of their employment no later than five (5) calendar days after such conviction.
5. When the City receives notice of such a conviction of an employee, the City will notify the Federal agency grant officer or other designee of the employee's conviction, in writing, within ten (10) calendar days.
6. Within thirty (30) calendar days of receiving notice of such a conviction, the City shall subject to any applicable legal procedures, undertake appropriate disciplinary action against such employee up to and including termination; and/or require such employee to satisfactorily participate in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency.
7. Counseling, rehabilitation and assistance for employees who have substance abuse problems is available through the City's Employee Assistance Program.

Additionally, substance abuse awareness programs are presented to inform employees about the dangers of drug abuse in the workplace.

8. The City of Vernon is not responsible for the costs of participation in programs under this policy. Employees may use options provided under their medical coverage.

PROCEDURE:

Responsibility	Action
Human Resources	1. Provides notice to employees of drug-free workplace policy. 2. Provides drug-free awareness information programs. 3. Offers drug counseling and rehabilitation programs through employee assistance program.
Employee	4. Notifies Department Head or designee of any criminal drug statute conviction for a violation occurring in the workplace within five days of conviction.
Department Head	5. Notifies City Administrator and Human Resources of the conviction of an employee. 6. Reports the conviction, in writing, within 10 days to the Federal agency grant officer or other designee of any individual who is convicted for a violation of a criminal drug statute occurring during the conduct of any grant activity.
Human Resources	7. Recommends appropriate disciplinary action to department.
Department Head	8. Takes appropriate disciplinary action up to and including termination; and/or requires employee to satisfactorily participate in drug abuse assistance or rehabilitation program approved by a federal, state, or local health, law

enforcement, or other appropriate agency.

Employee

9. Participates in drug abuse assistance or rehabilitation programs, as required, utilizing their medical coverage.

Human Resources

10. Monitors disciplinary actions by department.