



## CITY OF GRANTS

### PERSONNEL HANDBOOK REVISION – 10/31/2023

#### DRUG FREE WORKPLACE

- 1. Health and safety:** Abuse of drugs or alcohol on the job is unsafe. Substance abuse poses a significant health and safety threat to employees, co-workers and employers. The United States government has imposed legislation and regulations requiring a Drug Free Workplace. The City is required to implement comprehensive policies and procedures addressing workplace substance abuse.
- 2. Treatment:** Chemical dependency may be successfully treated, allowing the employee to maintain or to return to satisfactory job performance. City policy is not to discipline an employee for chemical dependency, in and of itself. The City strongly encourages an employee who recognizes that he or she has a substance abuse problem to voluntarily seek assistance through medical providers and/or appropriate treatment programs.
- 3. Alcohol and Drug Use Prohibited at Work:** The City prohibits employees (and others) from using, possessing, manufacturing, or transferring alcohol, drugs, or other controlled substances on City Property or in City vehicles, including personal vehicles, when used for City business. Intentional misuse of prescription drugs also violates this Policy. Violations will result in immediate termination for the first violation.
- 4. Pre-employment Testing:** The City will conduct pre-employment substance abuse testing for all applicants for illegal or controlled substances. "Substances" are defined as any illegal or controlled drugs, including prescription medications. The term "abuse" may include "use." The testing cost will be paid by the City. Testing procedures will be conducted in a controlled manner that complies with legal requirements. Testing will be conducted with reasonable sensitivity to the applicant's privacy. Testing laboratories (or medical providers) used will be certified to meet governmental standards. Applicants testing positive for substances (besides medically prescribed drugs/medications), will be denied employment. Applicants may re-apply after six (6) months from the application.
- 5. Fitness for Duty Determinations:** Employees are required to report to work unimpaired, in a mental and physical condition allowing them to perform their jobs productively. It is the ongoing responsibility of an employee's supervisor to determine the employee's fitness for duty while on work duty. If an employee, while on the job, is believed to be under the influence of alcohol or non-prescribed, illegal drugs or other controlled substances, the employee could be a risk to himself/herself and others. If a supervisor or management representative believes that there is a potential risk to the security, health and safety of the employee, a co-worker or others, the supervisor or management representative is required to initiate fitness-for-duty or reasonable-suspicion substance abuse testing.

6. **“For Cause” Substance Testing:** “For-cause” substance testing may be required for, but not limited to involvement in a work-related vehicle (City owned or leased) crashes, industrial accidents, police shootings, or incidents that did or could have caused property damage.  
All City of Grants employees are subject to post-accident drug and alcohol testing when their actions or conduct contributed to an accident or vehicle crash; or cannot be completely discounted as a contributing factor to the accident; and where medical attention, greater than on-site first aid treatment, is required or where property damage exceeds \$1,000.
7. **“Reasonable Suspicion” Testing:** Substance testing may be performed on any employee if there is reasonable suspicion to believe that he/she may be under the influence of drugs or alcohol. Reasonable suspicion may include but is not limited to: a) abnormal or erratic behavior, b) physical symptoms such as slurred speech, poor or lack of coordination, glazed or bloodshot eyes, or a distinct breath odor, c) abnormal decline in work performance, d) frequent absence or tardiness, or e) adequately based information from a reliable source.
8. **Random Testing:** The City reserves the right to random test any employee for substance abuse.
9. **CDL Testing:** All City of Grants employees who carry a CDL are required by federal law to be selected in a quarterly random drug and alcohol test.
10. **Refusal to Test:** An employee who refuses testing will be immediately suspended and placed on administrative leave status (pay or non-pay) pending investigation. Employment reinstatement with back pay and/or employment termination could follow given to the investigation findings.
11. **Positive Test:** Any employee, regardless of job classification, who tests positive for any substance abuse will be subject to termination for the first offense.
12. **Reporting Job Related Convictions:** An employee who is convicted, pleads nolo contendere, or is subject to the imposition of a sentence for on-the-job activity involving illegal drugs, controlled substances or alcohol is considered in violation of this policy, which will be subject to termination for the first offense. Employees are required to report such convictions to the Human Resources Director and/or City Manager within five (5) days of the conviction (court action). A conviction includes, but is not limited to manufacture, distribution, sale, use or possession of any illegal drugs or controlled substance for which the individual does not have a current prescription from a licensed physician and DWI/DUI. Non-work related arrests must be reported by the next scheduled shift.