

# **Town of Stoughton** **Drug-Free Workplace Policy**

## **Purpose and Goal**

The Town of Stoughton is committed to protecting the safety, health and well being of all employees and other individuals in our workplace. We recognize that alcohol abuse and drug use pose a significant threat to our mission and goals. We have established a drug-free workplace program that balances our respect for individuals with the need to maintain an alcohol and drug-free environment. The Town encourages employees to voluntarily seek help with drug and alcohol problems.

## **Covered Individuals**

Any individual who conducts business for the Town, is applying for a position or is conducting business on the Town's property is covered by our drug-free workplace policy. Our policy includes, but is not limited to managers, supervisors, full-time employees, part-time employees, off-site employees, volunteers, interns, and Officials.

## **Applicability**

Our drug-free workplace policy is intended to apply whenever anyone is representing or conducting business for the Town. Therefore, this policy applies during all working hours, whenever conducting business or representing the Town, while on call, paid standby, while on Town property and at Town-sponsored events.

## **Prohibited Behavior**

It is a violation of our drug-free workplace policy to use, be under the influence of, possess, sell, trade, distribute, and/or offer for sale alcohol, a controlled or banned substance, illegal drugs or intoxicants while working, conducting business or representing the Town, on Town property or at Town-sponsored events; also, while on call or on paid standby.

## **Searches**

Entering the Town's property constitutes consent to searches and inspections. If an individual is suspected of violating the drug-free workplace policy, he or she may be asked to submit to a search or inspection at any time. Searches can be conducted of lockers, desks, work stations, vehicles and equipment.

## **Confidentiality**

All information received by the Town through the drug-free workplace program is confidential communication. Access to this information is limited to those who have a legitimate need to know in compliance with relevant laws and management policies.

## **Policy Statement Relating to Town Employees**

### **Notification of Convictions**

Any employee who is convicted of a criminal drug violation must notify the Town in writing within five calendar days of the conviction. The Town will take appropriate action within 30 days of notification. Federal contracting or licensing agencies will be notified when appropriate.

### **Drug Testing**

To ensure the accuracy and fairness of our testing program, all testing will be conducted according to existing collective bargaining agreements, where applicable, or according to Substance Abuse and Mental Health Services Administration (SAMHSA) guidelines, where applicable, and will include a screening test; a confirmation test; the opportunity for a split sample; review by an appropriate appointee or Medical Review Officer, including the opportunity for employees who test positive to provide a legitimate medical explanation, such as a physician's prescription, for the positive result; and a documented chain of custody. All drug-testing information will be maintained in separate confidential records.

Each employee, as a condition of employment, can be required to participate in pre-employment testing, based on the requirements of the position. Each employee will be required to participate in drug testing after an accident, upon reasonable suspicion, or upon return-to-duty, and will be required to participate in follow-up testing upon selection or request of management.

The substances that will be tested for are, but not limited to: Amphetamines, Cannabinoids (THC), Cocaine, Opiates, Phencyclidine (PCP), Alcohol, Barbiturates, Benzodiazepines, Methaqualone, Methadone, Propoxyphene, and Nicotine.

Testing for the presence of alcohol will be conducted by analysis of breath and blood.

Testing for the presence of the metabolites of drugs will be conducted by the analysis of urine, blood and hair.

Any employee, who tests positive, will be subject to termination, either immediately, or where applicable, in accordance with existing collective bargaining agreements.

Unless contravened by the provisions of an existing collective bargaining agreement, an employee will be subject to the same consequences of a positive test if he/she refuses the screening or the test, adulterates or dilutes the specimen, substitutes the specimen with that from another person, or sends an imposter or refuses to cooperate in the testing process in such a way that prevents completion of the test.

### **Consequences**

One of the goals of our drug-free workplace program is to encourage employees to voluntarily seek help with alcohol and/or drug problems. If, however, an individual violates the policy, the consequences are serious.

In the case of applicants, if he or she violates the drug-free workplace policy, the offer of employment can be withdrawn.

If an employee violates the policy, he or she will be subject to termination from employment immediately, or in accordance with the provisions of an existing collective bargaining agreement, where applicable.

### **Assistance**

The Town of Stoughton recognizes that alcohol and drug abuse and addiction are treatable illnesses. We also realize that early intervention and support improve the success of rehabilitation. To support our employees, our drug-free workplace policy:

- Encourages employees to seek help if they are concerned that they or their family members may have a drug and/or alcohol problem.
- Encourages employees to utilize the services of qualified professionals in the community to assess the seriousness of suspected drug or alcohol problems and identify appropriate sources of help.
- Ensures the availability of a current list of qualified community professionals.
- Offers all employees and their family members assistance with alcohol and drug problems through the Employee Assistance Program (EAP).
- Allows the use of accrued paid leave while seeking treatment for alcohol and other drug problems.

Treatment for alcoholism and/or other drug use disorders may be covered by the employee benefit plan. However, the ultimate financial responsibility for recommended treatment belongs to the employee.

### **Shared Responsibility**

A safe and productive drug-free workplace is achieved through cooperation and shared responsibility. Both employees and management have important roles to play.

All employees are required to not report to work or be subject to duty while their ability to perform job duties is impaired due to on- or off-duty use of alcohol or other drugs.

In addition, employees are encouraged to:

- Be concerned about working in a safe environment
- Support fellow workers in seeking help
- Use the Employee Assistance Program
- Report dangerous behavior to their supervisor

It is the supervisor's responsibility to:

- Inform employees of the drug-free workplace policy.
- Observe employee performance.
- Investigate reports of dangerous practices.
- Document negative changes and problems in performance.
- Counsel employees as to expected performance improvement.
- Refer employees to the Employee Assistance Program.
- Clearly state consequences of policy violations.

**Communication**

Communicating our drug-free workplace policy to both supervisors and employees is critical to our success. To ensure all employees are aware of their role in supporting our drug-free workplace program:

- All employees will receive a written copy of the policy.
- The policy will be reviewed in orientation sessions with new employees.
- The policy and assistance programs will be reviewed at safety meetings.
- Employee education about the dangers of alcohol and drug use and the availability of help will be provided to all employees.
- Every supervisor will receive training to help him/her recognize and manage employees with alcohol and other drug problems.

Adopted by vote of the Town of Stoughton Board of Selectmen on \_\_\_\_\_, \_\_\_\_\_

By signing below, I acknowledge that I have received, read, and understand the Town of Stoughton's Drug Free Workplace Policy.

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Department: \_\_\_\_\_

Date of Hire: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_