

## **POLICY 701 DRUG-FREE WORKPLACE**

**1. Purpose.** Maintaining a workplace free from the effects of alcohol and drugs, and ensuring the public that their safety and trust in us is protected. The purpose of these work rules is. (a) to establish and maintain a safer, healthier working environment; (b) to help reduce the number of and potential for injuries; (c) to aid in reducing absenteeism and tardiness; and, (d) to improve job performance.

### **2. Safety Rules.**

- 2.1 No employee will be under the influence of alcohol or illegal drugs at any time during working hours
- 2.2 The sale, possession, transfer or purchase of illegal drugs by County employees substantially impacts upon and affects the employment relationship and is, therefore, strictly prohibited.
- 2.3 Consumption of alcohol or illegal drugs by an employee on duty is not allowed. This policy includes any paid or unpaid lunch periods in the normal work day, normal hours of training sessions or conferences and at all County sponsored events.
- 2.4 When using a County vehicle, either on or off duty, the use of alcohol or illegal drugs is prohibited.
- 2.5 An employee is also prohibited from reporting for duty or remaining on duty when the employee uses any controlled substance, including prescription medications, except when the use is pursuant to the instructions of a licensed health care provider who has advised the employee that the substance does not adversely affect the employee's ability to safely and competently perform his/her job. Employees must report to their supervisor when they are taking any prescription or over-the-counter medication known to cause dizziness or drowsiness or that might affect their senses, motor ability, judgment, reflexes or otherwise affect their ability to perform their job.

### **3. Search and Testing.**

- 3.1 In order to promote compliance with this policy, the County reserves the right to search any part of its premises at any time to determine the physical presence of drugs and/or alcohol on property of the Company.

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- 3.2 Failure to comply with any part of this policy may result in a withdrawal of any conditional job offer for job applicants, and in discipline, up to and including, termination for employees.
- 3.3 A positive drug or alcohol test result for any reason may lead to discipline, up to and including, discharge from employment.
- 3.4 Post work-related injury testing. The County, at its discretion, may require that any employee involved in a work-related accident submit to an alcohol and/or drug test as soon as possible after the accident, but no later than eight (8) hours for alcohol or thirty-two (32) hours for drug testing. Any employee involved in a reportable accident will notify the County at the first available opportunity after the accident, at which time the employee will be advised to report to an appropriate collection site for testing.
  - 3.4.1 In the event an employee is seriously injured and unable to report to the collection site, the employee will authorize the health care provider to release to the County any information necessary to indicate the presence of alcohol or any controlled substance in the employee's system.
- 3.5 Reasonable suspicion testing. The County will require that an employee be tested, upon reasonable cause, for the use of controlled substances or alcohol. An employee will submit to testing when requested to do so by the County. The County will presume a positive test result if an employee refuses to be tested upon reasonable cause.
  - 3.5.1 If possible, the reasonable cause circumstances should be witnessed by at least two (2) supervisors who have received training in the detection of probable drug or alcohol use through observations. The reasonable suspicion determination will be documented and should be completed at the time of the observations, but in no case later than twenty-four (24) hours after the initial reasonable cause observation.
  - 3.5.2 Reasonable cause means a belief drawn from facts or circumstances and inferences from those facts or circumstances sufficient to lead a reasonable person to suspect that the employee is using a controlled substance or alcohol. Examples of reasonable cause include, but are not limited to.

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- 3.5.2.1 Direct observation of physical symptoms;
  - 3.5.2.2 Pattern of abnormal conduct or erratic behavior;
  - 3.5.2.3 Arrest or conviction for drug or alcohol-related offenses;
  - 3.5.2.4 Information from credible and reliable sources; and
  - 3.5.2.5 Evidence of employee tampering with drug or alcohol tests.
- 3.6 Post-rehabilitation drug and alcohol testing. Any employee who undergoes rehabilitation or who enrolls in an employee assistance program because of a positive drug or alcohol test result will be required to undergo an additional drug and/or alcohol test before returning to work. If the test results are negative, the employee will be returned to work, if work is available. If the test results are positive, the employee will be disqualified from employment and, in reasonable cause circumstances, any previous discharge or other discipline will be reinstated.

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