

Section Name: Employee Relations
Section Number: 600
Policy Number: 608

Effective Date: September 1, 1990
Date of Revision: February 16, 2021

Subject: Alcohol and Drugs

Overview

The County of Monroe strives to create and maintain a workplace that is free from the effects of drug and alcohol abuse.

Purpose

The purpose of this policy is to establish guidelines and protocols for employees and supervisors.

Scope

This policy applies to all employees and officials who are employed by the County of Monroe.

Statement of Policy.

- A. The County prohibits the possession, use, sale, dispensing, and the distribution, of alcoholic beverages and illegal drugs on County premises or while conducting County business. The presence of any detectable amount of alcohol or illegal drug while in the workplace or while conducting County business is considered a violation of this policy. Illegal drugs include marijuana, even if the use of marijuana may be legal under state law.
- B. Employees must report their use of over-the-counter or prescribed medications to their Supervisor if a medication's use may prevent the employee from performing his/her job safely or if the medication is known or advertised as possibly affecting or impairing the employees ability to perform his/her job safely or effectively. Employees shall report their possible impairment prior to starting work or as soon as the condition becomes known. A determination will then be made as to whether the employee may continue to work, needs to take a leave of absence, or if some other action is appropriate.
- C. Supervisors should report immediately to the Human Resources Director any action by an employee who appears to be under the influence of alcohol or drugs. The Human Resources Director in consultation with the employee's Department Head will determine whether the employee should be examined by a physician or clinic and/or tested for drugs and alcohol. Employees believed to be under the influence of alcohol or drugs, may be required to leave the premises.
- D. Employees may be tested if there is reasonable suspicion that they are under the influence of alcohol or drugs. Employees may also be tested following an accident on the job, or at random to determine the presence of alcohol or drugs. It is a condition of employment that an employee cooperate fully, sign any required document, submit to any required drug test,

and consent to the County's use of the test results for purposes of administering this policy. A refusal to comply with drug and alcohol testing will constitute insubordination, a presumption of impairment, and may result in disciplinary action up to and including termination. A refusal to test for purposes of this policy shall include:

- the failure to provide a sufficient sample provided there does not exist a valid medical explanation as to why the employee was unable to do so;
 - any conduct that attempts to obstruct the testing process such as unavailability, leaving the scene of an accident without proper authorization, or a delay in providing a sample; and
 - failure to execute release forms required as part of the testing process.
- E. Employees subject to the Drug-Free Workplace Act, who are convicted of any federal or state criminal drug statute occurring in the workplace, must report the conviction to the Human Resources Director within five (5) days of the of the conviction. The Human Resources Director shall notify federal contractors or granting agencies of any conviction of an employee for a violation of a criminal drug statute occurring in the workplace within ten (10) days of receiving notice from an employee or otherwise receiving actual notice of a conviction.
- F. Early recognition and treatment of drug and/or alcohol abuse is important for successful rehabilitation. The County encourages the earliest possible diagnosis and treatment for substance abuse. Employees are urged to seek treatment for substance abuse problems and are reminded that treatment and counseling services are available through the Employee Assistance Program ("EAP") and under the County's health insurance plans. An employee needing assistance may contact the EAP or the office of Human Resources for a referral.
- G. Any employee may be granted a leave of absence to undertake rehabilitation treatment. In such cases, the employee will not be permitted to return to work until certification is presented to the Human Resources Department that the employee is capable of performing his or her job. Participation in a treatment program does not insulate an employee from the imposition of discipline for violations of this other County policies.
- H. The County, in accordance with the Drug-Free Work Place Act of 1988 and related legislation, is committed to informing employees of the dangers of drug and alcohol abuse in the workplace through an ongoing drug-free awareness program which may include new employee orientation sessions, supervisory training, and the availability of an employee assistance program.
- I. The obligation to comply with this policy is a condition of employment. Employees will be subject to disciplinary action, up to and including termination, for violations of this policy.

Definitions. None

Policy Compliance:

A. Responsibility

1. Employee: Each employee has the responsibility and obligation to comply with the policy and report medication use that may prevent them from performing their job safely.
2. Elected Officials/Judges/Department Heads: Shall ensure compliance with this policy with their respective departments.
3. Human Resources. The Human Resources Director along with every Department Head/Elected Official/Judge shall have the responsibility for overseeing and implementing this policy.

Administrative Procedure. None.

Legislative History of Authority for Creation or Revision.

Adopted pursuant to action of the Monroe County Board of Commissioners, dated September 1, 1990.

Revised pursuant to action of the Monroe County Board of Commissioners, dated June 20, 1994 and February 16, 2021.

