

BARNSTABLE COUNTY DRUG AND ALCOHOL-FREE WORKPLACE POLICY

I. PURPOSE AND SCOPE

The purpose of this policy is to outline the County's obligations under the Federal Drug Free Workplace Act of 1988 which requires that an employee notify his/her employer upon conviction of a drug related crime at the workplace.

II. APPLICABILITY

All employees employed by the County, shall be subject to the provisions of this policy.

III. DEFINITIONS

Workplace – The location to which an employee reports to perform his/her duties in County service.

Controlled Substance – Those substances listed in the federal Controlled Substances Act (21 U.S.C. (s) 812), including, but not limited to: marijuana, cocaine (including “crack” and other cocaine derivatives), morphine, heroin, amphetamines, and barbiturates. For the purposes of this policy, “drugs” shall refer to controlled substances, and not alcohol or those substances issued in accordance with a valid prescription.

Conviction – The state of having been found guilty in a Court of Law.

IV. POLICY

It is the policy of the County to provide employees with a working environment that is free of the problems associated with the use and abuse of controlled substances. The use of controlled substances is inconsistent with the behavior expected of employees and subjects the County to unacceptable risk of workplace accidents or other failures that would undermine the County's ability to operate effectively and efficiently.

Accordingly, employees are prohibited from using or being under the influence of drugs and/or alcohol while performing company business for the County, while operating a motor vehicle in the course of business or for any job related purpose, or while on company premises or a worksite.

V. PROCEDURES

A.

The non-prescriptive use, sale, possession, distribution, dispensation, manufacture, or transfer of controlled substances on County property, or at any other worksite where employees may be assigned, or elsewhere during work hours, is strictly prohibited.

B.

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Further prohibited is the use, sale, possession, distribution, dispensation, manufacture, or transfer of controlled substances on non-working time to the extent that such use impairs an employee's ability to perform his/her job or where such use, sale, possession, distribution, manufacture or transfer affects the reputation of the County to the general public or otherwise threatens its integrity.

C.

Employees, who are convicted of controlled substance-related violations in the workplace under state or federal law, or who plead guilty or nolo contendere to such charges, must inform their Department Mead within 5 days of such conviction or plea. The Department Manager shall notify the Human Resources Director immediately.

D.

Employees who are convicted, or who plead guilty or nolo contendere to such drug-related violations may be required to successfully complete a drug abuse or similar program as a condition of continued employment or reemployment.

VI. EMPLOYEE ASSISTANCE

The County recognizes drug dependency as an illness and a major public health problem. The County's objective is to prevent conviction for drug related offenses prior to their occurrence. Employees who wish to obtain help in dealing with such problems are encouraged to contact the Human Resources Director or their health insurance provider for assistance. Conscientious efforts to seek such help will not jeopardize an employee's job, and will not be noted in any personnel record.

VII. SANCTIONS

Violations of any and all provisions of this policy may result in disciplinary action.