

Sample Statement Compliant with the Federal Drug-Free Workplace Act of 1988

Substance Abuse: The City considers its employees to be its most valuable asset and believes that professionalism in the delivery of public services can only be maintained within a drug-and alcohol-free work environment. Further, the City believes that employees have a right to work in an environment free of drugs and alcohol and that all employees have the obligation not to place themselves in a situation where job performance is impaired by substance abuse. This chapter has been developed in compliance with the Federal Drug-Free Workplace Act of 1988, regulations of the U.S. Department of Transportation ("DOT"), the Federal Transit Administration ("FTA") and other relevant authorities.

Drug Free Work Place: The City recognizes that the maintenance of a drug-free workplace is essential to the safety and welfare of employees. This chapter establishes programs and practices that promote and support a drug-free working environment and brings the parties into compliance with the Drug-Free Workplace Act of 1988.

Statement: The intent is to educate employees as to the dangers of drug abuse in the workplace, the commitment to a drug-free workplace, the penalties that may be imposed upon employees for drug violations in the workplace, and the commitment of support for employees undergoing treatment and rehabilitation of chemical dependencies.

Provisions:

1. Controlled Substances:
 - A. The unlawful manufacture, distribution, dispensing, possession or use of a controlled substance or alcohol in the workplace is prohibited. Reporting to work under the influence of a controlled substance or alcohol is prohibited.
 - B. As a condition of employment, all employees must notify their Department Director of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such a conviction.
2. Prescription or Over-the-Counter Drug Use: The use of prescription and over the-counter drugs which compromise the safety in the workplace is prohibited. It is the employee's responsibility to check with their physician as to whether or not a prescription drug will impair safe performance. Under this chapter employees are specifically required to notify their immediate supervisors when they are taking medications with warning labels that may affect their ability to remain alert or operate equipment. The City will make a form available to employees to assist them in reporting such medically authorized drug use. This form will be maintained in a separate confidential file in the Human Resources office.
3. Employee Sanctions: It is the responsibility of every employee to be aware of the above provisions and to abide by them. Failure to observe these provisions will result in immediate discipline of the employee, up to and including termination. The employee may be required to participate satisfactorily in an alcohol or drug abuse assistance or rehabilitative program.

4. Employee Assistance Program: The City is committed to supporting employees undergoing treatment and rehabilitation for alcohol or other chemical dependency. The City will provide information to employees on available drug counseling and rehabilitation programs.
5. Drug Abuse Education Program: The City will utilize available resources, to educate employees as to the dangers of drug abuse.
6. Confidentiality: The confidentiality of all complaints and reported violations of the provisions of this directive will be strictly maintained, except as required by public disclosure laws or court order.