

SAMPLE #2

DRUG AND ALCOHOL FREE WORKPLACE

*[Note: The following sample policy is **designed for libraries that are federal grant recipients and must comply with the federal Drug-Free Workplace Act. It is also designed to provide you with flexibility to decide if and how you will conduct drug tests on your employees. It is **NOT designed for libraries seeking to comply with Ohio Bureau of Workers' Compensation (BWC) Drug Free Safety Program** in order to receive discounts on worker's compensation insurance.]***

I. Purpose of Policy

It is [Name of Library]'s desire to provide a healthful and safe workplace that is free of illegal drugs and alcohol. To promote this goal, employees are required to report to work in appropriate mental and physical condition to perform their jobs. Use of alcohol or illegal drugs, including marijuana, whether on or off the job, can adversely affect your work performance, efficiency, and safety. In addition, the use or possession of these substances on the job constitutes a potential danger to the welfare and safety of other employees and library patrons.

II. Standards of Conduct

Employees should report to work fit for duty and free of any adverse effects of illegal drugs or alcohol. This policy does not prohibit employees from the lawful use and possession of prescribed medications taken as prescribed and that does not compromise workplace safety. Employees must, however, consult with their doctors about the medication's effect on their fitness for duty and ability to work safely.

The following prohibitions are in effect at all times when an employee is at work, on [Name of Library] premises, operating a [Name of Library] vehicle, or attending a [Name of Library] function at which the employee performs services or functions on behalf of the [Name of Library].

- No employee shall consume or use (including testing positive for substances prohibited by this policy even if the use occurred outside of work) alcohol, marijuana, illegal drugs, or medication or controlled substances used in a manner other than prescribed or as directed.
- No employee shall possess alcohol, illegal drugs, or other un-prescribed controlled substances.
- No employee shall work or be at work under the influence of alcohol, illegal drugs, or medication or controlled substances used in a manner other than prescribed or as directed.
- No employee shall sell, purchase, transfer, or traffic illegal or illicit drugs, controlled substances, prescribed medication, or drug paraphernalia.

Violation of any of these prohibitions will result in disciplinary action up to and including termination of employment.

[Note: Employee Assistance Programs are not required. If you do not provide one for your employees, the following section should not be included in your policy.]

[Name of Library] recognizes that alcohol and drug abuse can be medical conditions, and they can be successfully treated. If you believe that substance use or abuse is a problem for you, you're encouraged to get confidential professional help by contacting:

[Name of Employee Assistance Program] at [phone number].

[Name of Library] assumes no responsibility for drug or alcohol rehabilitation of any employee. Employees who voluntarily seek help for such problems before becoming subject to discipline and/or termination may be allowed to use accrued paid time off, placed on leaves of absence, and otherwise accommodated as required by law. Such employees may be required to document that they are successfully following prescribed treatment and to take and pass follow-up tests.

III. Drug Testing

If [Name of Library] suspects that an employee's work performance or on-the-job behavior may have been affected in any way by alcohol or drugs; that an employee may have contributed to a work-related accident; or that an employee may have used drugs or alcohol in violation of this policy, [Name of Library] may require the employee to submit to a breath, urine and/or blood sample for alcohol and/or drug testing. [Name of Library] reserves the right to require a drug test of an employee returning from a leave of absence. Further, [Name of Library] reserves the right to test under the following circumstances:

1. Pre-employment;
2. Employee involved in work-related accident;
3. Reasonable suspicion; and
4. Random testing.

Employees tested for cause will be suspended without pay until the test results are complete and reviewed. If the test results are found to be negative, the employee will be returned to work and paid for the time suspended.

Positive test results determined to have no legitimate medical explanation will result in discipline up to and including immediate termination. Failure to submit to the required alcohol or drug test immediately upon request by [Name of Library] is grounds for discipline up to and including immediate termination.

Employees are required to notify [Name of Library] of a criminal conviction for drug-related activity occurring in the workplace. The report must be made within five days of the conviction. Within thirty (30) days after [Name of Library] receives notice of such a conviction, the convicted individual may be disciplined up to and including immediate discharge.