

12.9 Substance Abuse Policy

Intent

Employees under the influence of drugs or alcohol on the job can pose serious safety and health risks both to themselves and their coworkers. The Town of Mundare strictly prohibits the use of non-prescribed drugs during work hours. The use of alcohol during work hours is prohibited unless approved by the CAO for special events/occasions. Employees are prohibited from reporting to work while under the influence of drugs or alcohol.

Policy

- Employees who fail to adhere to the above expectations or who engage in illegal activities such as selling/using drugs and/or alcohol while at work will be subject to disciplinary action up to and including termination of employment and referral to legal authorities.
- Any employee convicted of, or who pleads guilty to any substance-related offense must inform the Town of Mundare within five (5) days of the conviction or plea. Failure to do so will result in disciplinary action up to and including termination of employment. In the event of an employee's conviction or plea to charges relating to the manufacture, possession, sale, use, distribution, receipt, or transportation of any substance, the Town of Mundare will determine whether disciplinary action will be taken, including the appropriateness of continued employment.

Impairment

Any employee reporting to work visibly impaired will be deemed unfit to perform required duties and will not be allowed to work. The following procedure will apply in such a situation:

1. The employee's supervisor will immediately advise the employee to stop work.
2. The employee may have to submit to an alcohol and drug test and provide the results of that test to the Town. The Town will arrange to transport the employee to and from the testing location. Any failure to submit to a test or any attempt to tamper with a test shall be considered equivalent to a positive test result and the Town will determine whether disciplinary action will be taken, including the appropriateness of continued employment.
3. The Town will arrange to transport the employee to his or home. An employee sent home because of impairment will do so without pay.
4. Under no circumstances will an impaired employee be allowed to drive. If the employee refuses transportation and makes the decision to drive his or her personal vehicle, the employee must be advised that the Town of Mundare is obligated to and will contact the police to make them aware of the situation.
5. The employee's supervisor shall schedule a meeting for the following work day to review the incident and determine a course of action, which may include a monitored referral program as part of a treatment plan.

Employees are encouraged to communicate to their supervisor that they may be under the influence of over the counter medications that may cause drowsiness or impairment.

In the event that an off-duty employee is asked to come in to work, it is his or her responsibility to refuse the request and ask that the request be directed to another person if the employee is unfit due to the influence of alcohol or other drugs.

Inspections

The Town of Mundare reserves the right to require its employees to cooperate with inspections of any and all property on its premises for the presence of drugs, alcohol or other contraband. The Town also reserves the right to require its employees to cooperate with any searches of their work area, or property that might be used to conceal drugs, alcohol or other contraband. Employees found to be in possession of such contraband, or who refuse to cooperate in these inspections may be subject to disciplinary action up to and including termination of employment.

Note: Any illegal drugs or drug paraphernalia will be turned over to the appropriate law enforcement agency and may result in criminal prosecution.

Substance Dependency

1. Employees are encouraged to communicate to the Town that they have a dependency or have had a dependency so that the Town can, to the extent possible, accommodate them.
2. Employees are not excused from their duties as a result of a dependency. Any employee who suspects that he/she might have an emerging drug or alcohol problem is expected to seek appropriate treatment promptly.
3. The Town of Mundare will encourage an employee with a dependency to seek the appropriate treatment and will accommodate the employee to the point of undue hardship to the Town.
4. The Town of Mundare shall ensure that any employee who asks for help due to a drug or alcohol dependence will not be disciplined for doing so.
5. If an employee completes treatment, or is engaged in a supervised drug or alcoholism rehabilitation program and no longer using drugs or alcohol, the Town may require him or her to sign an Agreement for Continuation of Employment.
6. All medical information acquired in the course of administering this policy shall be kept strictly confidential by the Town of Mundare.

Reasonable Cause and Post-Incident Testing

1. A supervisor of an employee may request an employee submit to an alcohol and drug test if the supervisor has any reasonable grounds to believe that an employee was involved in or contributed to an incident that reasonably could have or did put the safety of the employee or others at risk, and that the use of alcohol and/or drugs contributed to the cause of the incident. All post-incident tests must be done within the following time limits: alcohol testing within eight hours; and drug testing within 32 hours. The employee shall provide the results

of that test to the Town. The Town will arrange to transport the employee to and from the testing location.

2. Any failure to submit to a test or any attempt to tamper with a test shall be considered equivalent to a positive test result and the Town will determine whether disciplinary action will be taken, including the appropriateness of continued employment.

Agreement for Continuation of Employment

In accordance with the employee's commitment to become and remain alcohol and drug-free, it is agreed as follows:

1. The employee must submit to an evaluation of potential alcohol or drug problems by a recognized and certified evaluation professional that has been referred by the Town of Mundare
2. The employee must agree to attend any and all rehabilitation treatment recommended by the counselor performing the evaluation. Cost of the treatment will be borne by the employee.
3. The employee must authorize the evaluation counselor to provide a copy of the rehabilitation recommendations to the Town of Mundare.
4. The employee's attendance shall be monitored at the required sessions. Failure to satisfactorily adhere to the program for treatment will result in the termination of the employee.
5. In the event that the employee is absent from work during the period of rehabilitation treatment, he/she may be required to undergo subsequent alcohol or drug testing.
6. The employee must consent to random, unannounced follow-up substance testing for a period not exceeding twelve (12) months as part of a rehabilitation program.
7. The employee will not be compensated for time used during the regular workday for testing or treatment.
8. The Town of Mundare will make every effort but cannot guarantee the availability of work during treatment or after the employee completes the treatment, if it determines that no work appropriate for the employee is available.