

**Town of Old Saybrook
Drug and Alcohol
Policy & Procedure
Adopted by Board of Selectmen: April 8, 2014**

I. Overview and Policy

The Town of Old Saybrook is committed to providing a safe, healthy, and productive work environment. Drug and alcohol abuse can be detrimental to the safety, performance, productivity, and morale of employees in the workplace. To further our objectives, the Town has adopted this alcohol and drug-free workplace policy that implements reasonable measures to ensure that any employee's drug or alcohol problem does not jeopardize the successful operation of our Town business or otherwise negatively affect our employees or the general public.

While it is not the Town's intention to intrude into the private lives of our employees, the Town does expect employees to report to work in fit condition to perform their duties. Having an alcohol and drug-free workplace will benefit everyone.

This policy does not include Police Department employees who have their own employee policies as appropriate.

II. Assistance For Those Who Voluntarily Seek Help

The Town maintains a policy of non-discrimination and reasonable accommodation with respect to recovering addicts and alcoholics, and those having a medical history reflecting treatment for substance abuse conditions. We encourage employees to seek assistance before their drug and/or alcohol use renders them unable to perform their essential job functions or jeopardizes the health and safety of themselves, or others. The Town believes that many individuals with substance abuse problems can be treated while continuing in their positions. If necessary, an employee who seeks assistance for drug or alcohol problems prior to any violation of this policy may be offered unpaid time off to participate in a rehabilitation program.

Voluntary requests for assistance will not prevent corrective action for subsequent violations of this substance abuse policy or for failure to meet performance standards. Employees who undergo voluntary counseling or treatment and who continue to work must meet all established standards of performance and conduct and fulfill treatment requirements or they may be subject to corrective action.

Whenever an employee has articulable suspicion that the questionable behavior and/or action(s) of a fellow employee, supervisor, or manager may be related to the use of drugs or alcohol, the employee should contact a Town management official. Information provided will remain confidential.

III. Definitions under This Policy

"Illegal Drugs" means any drug (a) not legally obtainable or (b) legally obtainable but not legally obtained or used including any "controlled substance" as defined in the Controlled Substances Act (21 U.S.C. Section 812), and as further defined in regulations at 21 C.F.R. 1308.11 to 1308.5. Therefore, the term includes prescription drugs obtained illegally and prescription drugs not being used for prescribed purposes. It also includes marijuana, cocaine, heroin (and derivatives of those drugs) and designer drugs, among other illegal drugs.

"Legal Drugs" means prescribed and over-the-counter drugs legally obtained and being used for the purpose and in the manner for which they were prescribed and/or manufactured.

"Under the Influence" means that the employee is affected by any drug or alcohol (or the combination of drugs and alcohol) in any detectable manner. The symptoms of influence include, but are not limited to, misbehavior, obvious diminishment of physical or mental capabilities, slurred speech, or difficulty maintaining balance.

IV. Prohibited Conduct

The Town has defined conduct that is prohibited to be on the Town property, on Town business, and in Town-supplied vehicles or vehicles being used for Town business or during working hours.

A. Illegal Drugs

The unlawful use, consumption, possession, manufacture, distribution, purchase, sale or offer of sale, transfer, storage, or use of illegal drugs by any employee, while on the Town property, while on duty, or while operating a vehicle or machine leased or owned by the Town is strictly prohibited. Further, no employee may be under the influence of any illegal drug while in the workplace, while on duty, or while operating a vehicle or equipment owned or leased by the Town. Those prohibitions extend to an employee's personal vehicle located on the Town property or in any vehicle engaged in Town business.

Any employee who is convicted of violating any laws regarding the use of illegal drugs must promptly (within five (5) days), provide written notice of the conviction to the First Selectman. In addition, employees must notify the First Selectman if they are charged with a violation of any criminal law involving the use of illegal drugs within three (3) days of being charged with such an offense. After receiving notice of such a conviction or charge, the Town will take corrective action or will require the employee to satisfactorily participate in a drug abuse assistance or rehabilitation program approved for such purposes by law or regulatory organization.

B. Legal Drugs

Legal drugs (over-the-counter and prescription drugs) are to be used only in the manner, combination, and quantity as prescribed or directed by the employee's physician. Employees are prohibited from being under the influence of legal drugs on Town property, while on duty, or while operating Town equipment or in any vehicle if such drugs have a tendency to impair an

individual's mental or physical ability to work in any way, or jeopardize the safety of the employee or other individuals at work. If the employee knows or has reason to believe that his/her motor coordination skills, physical or mental ability, and/or regular work activities could be impaired while taking legal drugs, the employee shall immediately notify his or her supervisor that he or she is taking a drug which may cause such impairment to their work performance, along with the nature of the impairment. The employee should not disclose the medication he or she is taking. The Town may ask for a medical certification from the employee's treating physician regarding the employee's ability to safely and efficiently perform his or her job duties with or without any work restrictions. Employees must keep all prescribed medicine in its original container, which identifies the drug, date of prescription, and prescribing doctor.

C. Alcohol

Employees shall not be under the influence of, purchase, sell, or offer to sell alcohol on the Town property, while on work time, or in any vehicle engaged in Town business. Employees may not use alcohol while on the Town property.

V. Drug Testing

All drivers of commercial motor vehicles ("CMV") who are required to hold a commercial driver's license ("CDL") will be required to undergo a drug test as a condition of employment. Those employees include full-time, part-time, seasonal, intermittent and leased drivers. In addition, drug testing will be required for any person who works as an independent contractor or for a contractor and operates a CMV on behalf of the Town.

Drug and/or alcohol testing may be required of any employee whenever there is a reasonable suspicion that such employee is under the influence of drugs or alcohol while at work or is in violation of this policy, in accordance with applicable laws. Employees who maintain a CDL as a requirement of their position will also be subject to random drug testing.

VI. Compliance and Violations

Employment or continued employment with the Town is conditioned upon full compliance with the foregoing substance abuse policy. Any violation of this policy may result in disciplinary action up to and including termination of employment. Furthermore, any employee who violates this policy or who voluntarily seeks assistance may be required, in connection with or in lieu of disciplinary actions, to participate in and successfully complete a Town-approved drug and/or alcohol assistance or rehabilitation program as a condition of continued employment. The Town will keep any information concerning an individual's drug and/or alcohol use confidential.