

<p style="text-align: center;"><b>City of Petaluma, CA</b> <b>Administrative Policy</b></p>	<p><b>Number:</b></p> <p><b>Last Revision Date:</b> January 20, 1989</p> <p><b>Date:</b> January 31, 2002</p> <p><b>Page:</b></p>
<p><b>Subject: Alcohol &amp; Drug Policy for AFSCME and Non-Represented Employees</b></p>	<p><b>Authority: City Manager</b></p> <p style="text-align: center;"><i>Frederick C. Staveland</i> City Manager</p>

**I. PURPOSE**

The City has determined that it is in the best interest of its employees to maintain a work environment free from the use of alcohol and the adverse effects of illegal drugs.

**II. POLICY**

The use of alcohol and non-medically authorized drug use, which adversely affects, or is likely to adversely affect an employee's job performance, or which jeopardizes the safety of an employee or other employees, the public, or City equipment will result in disciplinary action.

An employee who is using prescription drugs or medication, which affects his/her ability to work safely, is responsible for bringing that matter to the attention of his/her supervisor. Such disclosure shall be kept confidential as required by applicable law. Supervisors should be alert to the effect of medication or illness on an employee's ability to perform work safely.

The City commits itself to maintain an Employee Assistance Program (EAP). An employee is encouraged to seek such assistance before the use of alcohol or illegal drugs affects job performance. The City EAP will be available to help an employee and his/her family with alcohol and/or drug related problems. Voluntary participation in the EAP is treated on a confidential basis and does not affect an employee's job status.

**III. PROCEDURES**

- A. Evidence of an employee who possesses, is under the influence, uses or is involved in furnishing, selling, or offering alcohol or illegal drugs while on the job must be reported to the employee's Department Head.
- B. An employee is required to perform his/her duties in a safe manner, and supervisors have a responsibility to ensure that this is done. If a supervisor suspects that an employee is working in an unsafe manner due to drugs or alcohol, the supervisor is responsible for taking those actions necessary to ensure that reasonably safe working conditions are maintained.

C. *If the City has reasonable suspicion to suspect that an employee is under the influence of drugs or alcohol, it may require the employee to submit to a medical examination by a City designated medical facility.*

1. *“Reasonable suspicion” means suspicion based on specific personal observation of two or more employees. The observing employees should be trained in the detection of drugs and alcohol. Such employees shall describe and document:*

a. *Specific and personal observations concerning the appearance, behavior, speech, body odors or performance of the employee; or*

b. *Violation of a safety rule, or other unsafe work incident, which, after further investigation of the employee’s behavior or appearance, leads the supervisor to believe that the drug or alcohol use may be a contributing factor.*

*It is the responsibility of the City designated medical facility to determine after the examination whether the employee is fit or unfit for duty. During the examination, the medical facility may require the employee to provide a blood or urine sample for drug and alcohol screening. Prior to requesting an employee to submit to a drug and/or alcohol test, the observations noted by the supervisor should be confirmed by a second person if possible.*

D. In the event of an accident involving personal injury, the employee involved will be subject to a mandatory drug/alcohol test.

E. Certain prescribed and over-the-counter drugs have “known” potential side effects that can:

- Adversely affect judgment;
- Affect mental alertness;
- Affect physical balance or the ability to accomplish strenuous physical acts; and/or
- Otherwise affect the employee’s ability to perform all job functions safely and expertly.

F. Employees are responsible for ascertaining the known, potential side effects of prescribed and over-the-counter medications they may take. This may and shall be accomplished, e.g., through review of the warning labels on such medications, consultation with the employee’s physician, consultation with a pharmacist, or review of readily available data such as books listing commonly available medications and their side effects.

G. An employee taking any prescription and/or over-the-counter medication known to have any of the above potential side effects shall:

1. Inform his/her direct supervisor that he/she is taking such medications.
2. Carefully monitor his/her ability to fully and safely perform services; and

3. Remove himself/herself from duty, in accordance with department procedures, in the event that the employee perceives that the medication is having an adverse affect on judgment or work.
- H. The City may remove an employee from duty in the event that the City has a rational basis for concluding that the employee's judgment or ability to work has been affected by consumption or ingestion of a prescription or over-the-counter drug.
- I. In fulfilling their responsibility under this section, employees are not required to explain the illness or medical condition for which they are taking medication.
- J. The City shall take all reasonable steps to protect employees' privacy under the circumstances involved in this section.
- K. *In an attempt to avoid a performance problem* any employee who voluntarily comes forward to his/her supervisor or the City's Employee Assistance Program requesting assistance with alcohol or chemical dependency shall have such requests treated confidentially. Participation in the Employee Assistance Program does not, however, relieve employees of their responsibility to meet work performance requirements. The exception to this would be a program that would involve a temporary absence from work. An assessment and/or review of the employee's condition will be initiated, compliant with Americans with Disabilities Act (ADA).
- L. Should an employee be disciplined due to an incident which involves a violation of the City Alcohol and Drug Policy, the City may require participation in a substance abuse program in addition to other disciplinary action, and the employee shall faithfully participate in such a program.

Failure to agree to and participate in such a program shall be cause for dismissal.

- M. Employees shall be recommended *for disciplinary action up to* termination if found under the influence of, or possessing alcohol or illegal drugs.

My signature below acknowledges that I have been given a copy of, and have read, this policy.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date