



## RANCHO MURIETA COMMUNITY SERVICES DISTRICT

15160 Jackson Road, Rancho Murieta, CA 95683  
Office - 916-354-3700 \* Fax - 916-354-2082

### PERSONNEL COMMITTEE

Regular Meeting

February 7, 2017 at 10:00 a.m.

All persons present at District meetings will place their cellular devices in silent and/or vibrate mode (no ringing of any kind). During meetings, these devices will be used only for emergency purposes and, if used, the party called/calling will exit the meeting room for conversation. Other electronic and internet enabled devices are to be used in the "silent" mode. Under no circumstances will recording devices or problems associated with them be permitted to interrupt or delay District meetings.

### AGENDA

1. **Call to Order**
2. **Comments from the Public**
3. **Review District Policy 2011-09 Drug and Alcohol Use**
4. **Directors & Staff Comments/Suggestions** [no action]
5. **Adjournment**

*In accordance with California Government Code Section 54957.5, any writing or document that is a public record, relates to an open session agenda item and is distributed less than 72 hours prior to a regular meeting will be made available for public inspection in the District offices during normal business hours. If, however, the document is not distributed until the regular meeting to which it relates, then the document or writing will be made available to the public at the location of the meeting.*

Note: This agenda is posted pursuant to the provisions of the Government Code commencing at Section 54950. The date of this posting is February 3, 2017. Posting locations are: 1) District Office; 2) Rancho Murieta Post Office; 3) Rancho Murieta Association; 4) Murieta Village Association.

## MEMORANDUM

Date: February 2, 2017  
To: Personnel Committee  
From: Darlene J. Thiel, General Manager  
Subject: Review District Policy 2011-09 Drug and Alcohol Use

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### **RECOMMENDED ACTION**

Review District Policy 2011-09, Drug and Alcohol Use.

### **BACKGROUND**

With the legalization of marijuana recreational use, the District reviewed the current drug and alcohol use policy to ensure that it is clear regarding the prohibition of recreational marijuana use at work or when assigned to call-back duty.

The attached is a red-line version of Policy 2011-09 marking recommended changes.

# RANCHO MURIETA COMMUNITY SERVICES DISTRICT

<b>Category:</b>	Personnel	<b>Policy #</b> <a href="#">2011-09</a>
<b>Title:</b>	Drug and Alcohol Use	

## PURPOSE

The purpose of this policy is to confirm Rancho Murieta Community Services District's (District) commitment to maintain a drug and alcohol-free workplace, insure the health and safety of all District employees, customers and the general public; to identify and discipline employees who abuse alcohol or use controlled substances; and to establish guidelines for drug and alcohol testing for all District employees.

The District recognizes that the use of alcohol, [marijuana](#), and/or controlled substances in the workplace is not conducive to safe working conditions. In order to promote a safe, healthy and productive work environment for all employees, it is the objective of the District to have a work force that is free from the influence of alcohol, [marijuana](#), and controlled substances.

## BASIC POLICY AND GUIDELINES

The District has a significant interest in insuring the health and safety of its employees. It has an obligation to insure that its employees do not present a safety risk to the general public. Substance abuse can affect job performance and employee and public safety. Subject to the requirements of the Federal Americans with Disabilities Act (ADA), the District will be firm in identifying and disciplining those employees who abuse alcohol or use controlled substances in violation of this policy.

### 1. Applicability

This policy applies to all employees when they are on District property or when performing any District related business. It also applies to off-site lunch periods and breaks when an employee is scheduled to return to work and as well as to employees those while assigned to on-call duty.

### 2. Prohibited Substances

Prohibited substances addressed by this policy include the following:

- a. Drugs: marijuana, amphetamines, opiates, phencyclidine (PCP) and cocaine.
- b. Alcohol: the use of beverages or substances, including any medication containing alcohol such that it is present in the body is prohibited. "Alcohol" is defined as the intoxicating agent in beverage alcohol, ethyl alcohol or other low molecular weight alcohol, including methyl or isopropyl alcohol.

c. Legal Medications: using or being under the influence of any legally prescribed medication(s) including medically prescribed marijuana or non-prescription medication(s) while performing District business or while on District property is prohibited to the extent that such use or influence hinders job safety or job performance.

d. Medical marijuana.

[e/ Recreational marijuana.](#)

3. Policy

No District employee who is on duty or on-call will:

a. Use, possess or be under the influence of illegal or unauthorized drugs or other illegal mind-altering substances.

b. Use or be under the influence of alcohol.

[c. Use or be under the influence of marijuana.](#)

[ed.](#) No District employee will engage in any duties or activities that, because of medication(s) taken under a legal prescription or non-prescription medication(s), cannot be performed without posing a threat to the health or safety of the employee or others.

Any employee who feels his/her performance of work-related duties may be impaired by use of any legal substance which carries a warning label that includes that mental functioning, motor skills and/or judgement may be adversely affected, should report it to his/her supervisor and medical advice should be sought before performing work-related duties. In the above instance, an employee using legally prescribed medication or non-prescription medication may continue to work if the supervisor determines that the employee does not pose a safety threat and that job performance is not affected by such use.

[de.](#) Employees will be subject to drug and alcohol testing when there is reasonable suspicion that the employee has violated the rules expressed in this policy Section 1 and/or 2 and/or 3 above. In addition, when such an employee has already been found in violation of this Policy through any action or medical examination process under ~~this Policy~~[the District's Drug and Alcohol Use Policy](#), as a result of substance testing under this ~~Policy~~[Policy](#), or by the employee's own admission, the employee will be required to submit to periodic substance testing, provided that he or she is not terminated, as a condition of remaining in or returning to District employment.

4. Disciplinary Procedures and Sanctions

a. Discipline may include a range of discipline from random testing to possible termination.

- b. Discipline or termination should not be taken until a thorough investigation has been completed.
- c. The decision to discipline or terminate an employee found to have used and/or be under the influence of drugs, alcohol, [marijuana](#), and/or other controlled substances during working hours may be waived or held in abeyance by the General Manager pending said employee's attempt at rehabilitation. The General Manager has discretion to handle each case individually with factors such as the employee's frequency of use, commitment to rehabilitation, type of substance taken and severity of violation and resulting performance impairment and/or accident as part of his consideration regarding the waiving of penalties.
- d. Discipline or termination that is waived or held in abeyance pending rehabilitation should be done on the condition, set forth in writing, that the employee:
  - 1. Successfully complete an approved rehabilitation program;
  - 2. Faithfully comply with maintenance and therapeutic measures (e.g. attendance at AA or NA meetings); and
  - 3. Be subject to periodic testing without further reasonable cause.
- e. Employees who are found to have brought drugs, alcohol, [recreational marijuana](#), or other non-prescription controlled substances onto District property or work sites and to have provided them to other employees shall be terminated without recourse to a rehabilitation program.
- f. An employee who is reasonably suspected of involvement as described above and refuses to cooperate in drug and/or alcohol testing is subject to immediate termination.

<p><b>Approved by Rancho Murieta Community Services District's Board of Directors</b></p>	<p><a href="#">September 21, 2011</a></p>
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