

RANCHO MURIETA COMMUNITY SERVICES DISTRICT

Category:	Personnel	Policy # P2017-02
Title:	Drug- and Alcohol-Free Workplace Policy	

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 use or abuse alcohol, marijuana or drugs while on-duty; and to establish guidelines for drug and alcohol testing for all District employees.

The District recognizes that the use of alcohol, marijuana, or illegal drugs or the abuse of legal drugs 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 drugs. This policy, and the distribution of it to District employees, constitutes the District's drug- and alcohol-free workplace awareness program.

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 and state laws concerning persons with disabilities, the District will be firm in identifying and disciplining those employees who violate this policy.

1. Applicability

This policy applies to all employees when they are on District property, when performing any District-related business, during off-site lunch periods and breaks when an employee is scheduled to return to work, and when employees are assigned to on-call duty (collectively "on-duty").

2. Definitions

- a. "Illegal drug" means any drug or controlled substance that (i) is not legally obtainable; (ii) is legally obtainable but has not been legally obtained; (iii) is legally obtainable but is being sold or distributed unlawfully; or (iv) is legally obtainable but is being used for any purpose other than the purpose for which it was prescribed or manufactured or in a quantity, frequency or manner that is contrary to the instructions or recommendations of the prescribing physician or manufacturer.
- b. "Alcohol" means the intoxicating agent in beverage alcohol, ethyl alcohol or other low molecular weight alcohol, including methyl or isopropyl alcohol, and including liquor, wine and beer.
- c. "Legal drug" means any drug, including any prescription drug and over-the-counter drug that has been legally obtained.
- d. "Marijuana" means marijuana or marijuana product as defined at Health and Safety Code sections 11018 and 11018.1.

- e. "On-duty" is defined in section 1.
- f. "Possession" or to "possess" means that the employee has the substance on his or her person or otherwise under his or her control.

3. Policy

No District employee who is on-duty will:

- a. Use, possess, purchase, sell, distribute, transport, or be under the influence of an illegal drug.
- b. Use or be under the influence of alcohol.
- c. Use or be under the influence of marijuana.
- d. Be impaired by the use of a legal drug whenever such impairment might (i) endanger the safety of the employee or some other person, (ii) pose a risk of significant damage to District property or equipment; or (iii) adversely interfere with the employee's job performance or the efficient operation of the District's business or equipment.

Any employee who feels his/her performance of work-related duties may be impaired by use of any legal drug that 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 a legal drug 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.

Employees will be subject to drug and alcohol testing when there is reasonable suspicion that the employee has violated this policy. 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, as a result of substance testing under this 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. This policy will be enforced by the Agency General Manager. Any violation of this policy may result in employee discipline, up to and including dismissal, depending on the circumstances.
- 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 violated this policy may be waived or held in abeyance by the General Manager pending the employee's attempt at rehabilitation, depending upon the circumstances. 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.

Approved by Rancho Murieta Community Services District's Board of Directors	February 15, 2017
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