



**CITY OF DUBLIN  
ADMINISTRATIVE ORDERS  
OF THE CITY MANAGER**

<b>ADMINISTRATIVE ORDER 2.35</b>
<b>TO:</b> All Non-Union Personnel
<b>FROM:</b> Jane Brautigam, City Manager
<b>SUBJECT:</b> Drug-Free Workplace
<b>DATE:</b> October 10, 2003
<b>Supersedes and Replaces Administrative Order 2.35 dated 11-1-93 Regarding Same Subject.</b>

**I. INTRODUCTION, PURPOSE & SCOPE**

Illegal drugs in the workplace are a danger to us all. They impair health, safety and welfare, promote crime, lower productivity and quality, and undermine the public confidence in the work we perform as public servants. Therefore, the City of Dublin will not tolerate the illegal use or illegal presence of drugs in the workplace.

In addition, pursuant to the federal Drug-Free Workplace Act, in order for the City of Dublin to be considered as a recipient for federal grants, it must comply with several requirements mandated by the Act. One of these requirements mandates that the City publish a policy prohibiting the illegal presence of controlled drugs in the workplace and that this policy be distributed to all employees. In addition, the Act requires the City to verify that all employees have agreed to abide by the policy as a condition of continued employment.

The purpose of this Administrative Order is to publish a formal policy regarding illegal drugs in the workplace, to notify employees of the consequences of illegal use, possession, distribution, manufacture, etc. of controlled drugs in the workplace, to institute a drug awareness program for all employees, and to notify employees of the types of rehabilitative help that may be offered by the City. This Administrative Order shall be applicable to all non-union employees of the City of Dublin and shall be strictly enforced by all Department/Division Heads and supervisory personnel. Questions regarding this Administrative Order should be directed to your supervisor, Department/Division Head, or the Division of Human Resources/Procurement.

## II. POLICY

Any location at which City business is conducted, whether at this or any other site, is hereby declared to be a **DRUG-FREE WORKPLACE**. This means that **all employees** are **absolutely prohibited** from unlawfully manufacturing, distributing, dispensing, possessing, or using controlled substances in the workplace. Reporting for work while under the influence of illegal drugs, or with any residual effects from illegal drug use (e.g. impaired judgement, sickness, impaired reflexes, etc.) is likewise prohibited. For purposes of this policy, an employee is considered to be "under the influence" of a drug or controlled substance when any detectable amount of such drug or controlled substance (or any of its metabolites) is found to be present in the employee.

City employees are also hereby advised that any building, facility, structure, property, etc., or the contents thereof (i.e. employee lockers, offices, desks, etc.), owned or leased by the City shall be subject to unannounced inspection at any time by appropriate supervisory personnel and City officials.

The following constitutes a partial list of controlled sub-stances: (For a more detailed listing and explanation of controlled substances, please consult the attached listing entitled "Controlled Substances - Uses & Effects.")

- \* Narcotics (heroin, morphine, etc.)
- \* Cannabis (marijuana, hashish)
- \* Stimulants (cocaine, diet pills, etc.)
- \* Depressants (tranquilizers)
- \* Hallucinogens (PCP, LSD, "designer drugs", etc.)

Compliance with this policy shall be strictly enforced and shall be a condition of continued employment. Any employee violating this policy shall be subject to appropriate disciplinary action, which may include suspension or dismissal.

City employees are hereby advised that they may also be subject to appropriate disciplinary action for engaging in off duty, illegal conduct/behavior unbecoming a City employee emanating from the use of illegal drugs which, in the judgement of the City Manager, detracts from the image or reputation of the City as an organization or which, in the judgement of the City Manager, erodes the public confidence in the City as an organization (e.g. disorderly conduct, assault, fighting, criminal menacing, disturbing the peace, OMVI, etc., or other criminal acts).

## III. DRUG-FREE AWARENESS & EMPLOYEE ASSISTANCE

Employees have a right to know the dangers of drug abuse in the workplace, the City's policy regarding such drug abuse, and what help is available to combat drug problems. This Administrative Order articulates the City's policy on this matter.

The City will institute an awareness program for all employees on the dangers of drug abuse in the workplace. Posters, brochures, and appropriate guest speakers at periodic group meetings will communicate information to employees.

In addition, to assist employees in overcoming drug abuse problems, the City will offer the following rehabilitative help where applicable:

- Medical benefits for drug-abuse treatment
- Information about community resources for assessment and treatment
- Employee Assistance Program

Employees are hereby advised that where rehabilitative assistance is offered by the City and agreed to by the employee, failure of the employee to adhere to conditions with regard to the rehabilitative program may result in appropriate disciplinary action including suspension or dismissal.

It should be noted that medical benefits for drug abuse treatment, as mentioned above, shall be limited to those covered by the City of Dublin medical plan. In addition, it should also be noted that the City medical plan is a benefit provided only to those employees of the City that are serving in Full-Time Permanent positions. (For further information on the medical benefits for drug abuse treatment, refer to the City of Dublin "Employee Benefits Handbook".) Furthermore, it should be noted that the Employee Assistance Program (EAP), as mentioned above, is a benefit which will be provided only to employees serving in Full-Time or Part-Time Permanent positions. (For further information on the Employee Assistance Program, refer to Administrative Order 2.39 "Employee Assistance Program".)

#### **IV. SUPERVISORY TRAINING**

The City shall also provide training to assist supervisory personnel in identifying illegal drug use by employees. All supervisors shall receive at least four hours of initial skill-building and information sharing sessions, with at least one hour of training occurring within six weeks of a current employee becoming a supervisor or from the date of hire of a supervisor. In subsequent years, supervisors who have already received four hours of initial training, will receive two hours of additional training to serve as a refresher and address new concerns. This training shall be conducted by a qualified trainer holding one of the following credentials:

- Substance Abuse Professional (SAP);
- Certified Employee Assistance Professional (CEAP);
- Certified Chemical Dependency Counselor (CCDC III);
- Ohio Certified Prevention Specialist (OCPS);
- Ohio Certified Prevention Consultant (OCPC).

This training shall cover the following subjects:

- the physical, behavioral, and the performance indicators of drug use/abuse;
- the effects of drug use/abuse;
- recognizing performance deficiencies caused by drug use/abuse;
- confronting employees with suspected drug use/abuse.

V. **NON-SUPERVISORY TRAINING**

The City shall also provide non-supervisory employee training regarding substance abuse issues, a copy of Administrative Order 2.35, and information about the City's employee assistance program (EAP). All non-supervisory employees shall receive at least two hours of educational awareness initially on substance abuse issues and two hours annually thereafter. New employees shall receive educational materials and information about this policy within the first six weeks.

VI. **EMPLOYEE DRUG TESTING**

Department/Division Heads and other supervisory personnel are hereby advised to refer to Administrative Order 2.38 ("Drug & Alcohol Testing Program") for further information regarding specific procedures involved with drug testing based upon reasonable suspicion.

VII. **CRIMINAL CONVICTIONS & NOTIFICATION REQUIREMENT**

Pursuant to the provisions of the Drug-Free Workplace Act, any employee convicted of violating a criminal drug statute in this workplace must inform the City of such conviction (including pleas of guilty and nolo contendere) within **five (5) days of the conviction occurring**. Failure to so inform the City shall subject the employee to appropriate disciplinary action including suspension or dismissal.

The City reserves the right to offer employees convicted of violating a criminal drug statute in the workplace, participation in an approved rehabilitation or drug abuse assistance program. If such a program is offered, and accepted by the employee, then the employee must adhere to conditions with regard to the rehabilitation as a condition of continued employment.

VIII. **EMPLOYEE ACKNOWLEDGMENT**

All employees shall be required to acknowledge, in writing, that they have read this Administrative Order and agree to abide by it in all respects. This acknowledgment and agreement shall be required of each employee as a condition of continued employment.