

## Central Oregon Intergovernmental Council

### Drug Free Workplace Policy

#### Policy Statement

It is the policy of Central Oregon Intergovernmental Council (COIC) to create and maintain a drug free work environment. COIC recognizes that the use of illegal drugs adversely affects job performance and may constitute a serious threat to the health and safety of fellow employees, the public, and to the efficient operation of COIC. COIC wants to maintain its reputation as a positive employer in the communities it serves. Of equal importance, is the positive reputation of its employees.

#### Purpose of Policy

The purpose of this policy is:

1. To create and maintain a safe, healthy and productive working environment for all employees;
2. To reduce the incidence of accidental injury to persons or property;
3. To reduce absenteeism, tardiness, indifferent job performance and indifference to job performance; and
4. To ensure the reputation of COIC and its employees as professional individuals within the communities COIC serves.

#### Definitions

- Company Premises--The term "company premises" includes all property, facilities, buildings, vehicles, whether owned, leased or occupied by COIC.
- Controlled Substances--The term "controlled substances" includes, without limitation, narcotics, marijuana, hashish, heroin, hallucinogens, depressants, cocaine, and other substances or medication other than those legally sold on a non-prescription basis or those prescribed to the employee by a licensed physician.
- Drug Screening--To test an individual's urine, blood, saliva and/or breath for the presence of controlled substances.
- Medication or Prescribed Drugs--Medication or prescribed drugs, for the purposes of this policy, are drugs that an individual may be taking under the direction of a licensed medical professional in a medical setting to address a specific physical, emotional, or mental condition.
- Need-to-Know--The term "need-to-know" means a bonafide business interest.
- Substance Abuse--As used in this policy "substance abuse" refers to abuse of controlled substances.

#### Policy

As a condition of employment with COIC, all employees are required to abide by the terms of this policy.

Reporting to work for company business, or otherwise being on company premises under the influence of controlled substances is prohibited as is the use, possession, distribution, manufacture, sale, or purchase of controlled substances while at work or on company business, or while on company premises. Violation of this policy may subject employees to disciplinary action up to and including termination.

The Drug Free Workplace Act of 1988 requires that any employee convicted of a criminal drug statute violation occurring in the workplace must notify the company in writing within five (5) days of said conviction and requires COIC to notify all federal agencies, from which they receive funds in excess of \$25,000, in writing within ten (10) calendar days.

This policy will be administered in accordance with the Drug Free Workplace Act of 1988.

## **Drug Screening**

Current employees may be asked to submit to a test if reasonable suspicion exists to indicate that their health or ability to perform work may be impaired. Factors, which could establish reasonable suspicion, include, but are not limited to:

- a. Sudden changes in work performance;
- b. Repeated failure to follow instructions or operating procedures;
- c. Violation of company safety policies;
- d. Involvement in an accident or near-accident;
- e. Discovery or presence of controlled substances in an employee's possession or near the employee's workplace;
- f. Odor or residual odor peculiar to some chemical or controlled substances;
- g. Unexplained and/or frequent absenteeism;
- h. Personality changes or disorientation; and
- i. Arrest or conviction for violation of a criminal drug statute.

Decision to require drug screening will only be made with the approval of the Executive Director. Failure to comply or attempting to obtain an invalid or "false negative" drug screening test result will subject employee to disciplinary action up to and including termination. If the results of the drug screening demonstrate that the employee was under the influence of or confirms the presence of a controlled substance, this will subject employee to disciplinary action up to and including termination.

The company expressly reserves the right to determine the facts which surround any situation giving reason for drug testing. In addition, it is within the sole discretion of the company to determine whether the facts constitute a violation of the company policy and what degree of treatment or discipline is appropriate. Employee complaints under this policy are covered by the company's grievance procedure.

## **Referral for Testing**

1. Sampling--Samples of urine, blood, saliva and/or breath will be taken by laboratory personnel at an accredited lab facility arranged by COIC.
2. Test Results--Internal Privacy/Confidentiality - Test results will only be released to the Executive Director and employee. Test results are confidential medical information and must not be revealed or discussed with anyone except on an absolute need-to-know basis. If the initial test is negative, there shall be no confirmation test. If the initial test is positive, a confirmation test shall be administered. If both the initial test and the confirmation test are positive, the result shall be determined to be positive.
3. Testing will only be for the presence of controlled substances and for no other purpose.
4. Testing will be performed at the employer's expense.
5. Transportation to the drug testing center and/or to the individual's home will be provided by the company.
6. Employee may be suspended with pay for health and safety reasons while awaiting the outcome of the drug screening.
7. Employees whose test results are determined to be positive will be referred for appropriate services and subject to disciplinary action up to and including termination.

## **Investigation**

Questioning--When there is reasonable suspicion to believe substance abuse has occurred, the employee may be questioned. Employees who refuse to participate in the questioning may be subject to disciplinary action up to and including termination.

**Notification**

To ensure that each current employee and each new employee hired subsequent to the effective date of the policy has received a copy of this policy, a "Receipt of Drug Free Workplace Policy" form will be signed and placed in employee's personnel file.

Each local office will be provided a copy of the "Drug Free Workplace Policy" to be kept on file. Additionally, the Policy shall be available on COIC's network.

The company will establish an ongoing drug-free awareness program that will inform employees of the dangers of drug abuse and the existence of available drug counseling, rehabilitation and assistance programs. COIC management will work with the Safety Committee to gather and disseminate this information.

Through implementation of this policy, COIC will strive to create and maintain a drug free work environment. Your assistance and cooperation for the achievement of this goal is vitally important.

**Inquiries:**

Inquiries should be addressed to Human Resources Manager at (541) 548-9537.