

***DRUG FREE WORKPLACE POLICY
LICKING COUNTY GOVERNMENT***

A. Notice Upon Hiring

1. As a condition prior to hiring, all prospective employees will be made aware of Licking County's Drug Free Workplace Policy and upon hire will receive a copy of the Licking County Drug Free Workplace Statement and Policy, and Drug Testing Policy and be required to sign a receipt which will become a permanent part of the employee's personnel file.
2. In addition, as a further condition to hiring, all prospective employees will be required to sign a written statement to the effect that:
 - a. They understand and support the Licking County Drug Free Workplace Policy.
 - b. They agree to refrain from violating this policy while employed by the County.
 - c. They acknowledge, in advance, that they understand that the penalty for breach can be discharge, and agree that penalty is appropriate when supported by evidence; and
 - d. They acknowledge that they have been warned that alcohol and drug testing of employees will be conducted in accordance with the County's policy where there is individualized reasonable suspicion of alcohol or drug use or drug impairment.

B. Distribution of Drug Free Workplace Policy

1. All current employees will receive a copy of the County's Drug Free Workplace Statement and Policy, and will be required to sign a receipt for it, which will become a permanent part of the employee's personnel file.
2. All current employees will be asked to voluntarily sign a statement supporting the strict enforcement of this policy.
3. All current employees will be given notice that the County reserves the right to order employees to submit to alcohol or drug testing where supported by an individualized reasonable suspicion of alcohol or drug use or drug impairment.

C. The Drug Free Workplace Policy

DEFINITIONS:

Alcohol: means the intoxicating agent in beverage alcohol, ethyl alcohol, or other lower molecular weight alcohols including methyl and isopropyl alcohol.

Controlled Substance: means any controlled substance continued in Schedules I through V of Section 202 of the Controlled Substance Act (21 USC 812; or as defined in O.R.C. 3719.01).

Conviction: means any finding of guilt, including a plea of nolo contendere (no contest) or the imposition of a sentence, or both, by any judicial body charged with the responsibility to determine violations of the federal or state criminal drug statutes.

Criminal Drug Statute: means a criminal statute which states that a person may not manufacture, distribute, dispense, use, possess, provide, or administer any controlled substance.

For purposes of this policy all definitions will be consistent with O.R.C. 3719.01 *et seq.*

POLICY:

1. It is the policy of Licking County to maintain a safe and productive workplace free of drugs and free of those individuals who use drugs.
2. The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance by any employee which takes place in whole or in part in the workplace is strictly prohibited and will result in criminal prosecution and employee discipline which may include termination from employment.

3. Any employee convicted of any federal, state, or municipal criminal drug statute must notify the Employer of that fact within five (5) calendar days of the conviction. Notification of the employee does not excuse that employee from possible disciplinary action under the County's Personnel Policy Manual.
4. Any employee who reports for duty in an altered or impaired condition, which is the result of the illegal use of controlled substances or the abuse of legal substances, will be subject to disciplinary action or discharge. Any decision to take such action may be held in abeyance pending the completion by the employee of a drug rehabilitation program.
5. Any employee convicted of a drug offense, who fails to report the conviction as required by the above, will be:
 - (1) Terminated from employment;
 - (2) Forever barred from future employment with Licking County; and
 - (3) Held civilly liable for any loss of federal funds resulting from the failure to report the conviction.

D. The Drug Testing Policy

1. Applicant Drug Testing: Applicants for positions covered by this policy shall be required to sign a written waiver and consent form and to take a drug test as a condition of employment. Additional rules apply specifically for Commercial Driver's License holders under a separate policy.
2. Employee Drug Testing: The Employer reserves the right to set standards for employment and to require employees, as a condition of continued employment, to submit to physical examinations including breath or urine tests for alcohol, illegal drugs, or the misuse of legal drugs where there is reasonable suspicion that an employee's work performance is, or could be, affected by the condition.
3. In cases in which the Employer has a reasonable suspicion to believe that the employee is in an altered or impaired condition as the result of the influence of alcohol or the controlled substances referenced in Paragraph C above, the Employer may require the employee to go to a medical clinic, at the Employer's expense, to provide breath or urine specimens. For purposes of this policy, "reasonable suspicion" means suspicion based on personal observation by an Employer representative; including descriptions of inexplicable or abnormal behavior, appearance, speech, or breath.
4. If requested, the employee will sign a waiver and consent form authorizing the clinic to examine a specimen of breath or urine and release the test results to the Employer.
5. A refusal to sign a waiver and consent form or to provide either specimen will constitute insubordination and a presumption of impairment and may result in discharge.
6. Any employee tested in accordance with the above procedure may, if the test results are positive, request retesting at the Employer's expense; or may request, in advance of the original test, that a portion of the original specimen be delivered to a third party for testing at the employee's expense.
7. The results of any such test will constitute medical information and will remain confidential in accordance with state law.

E. Policy Distribution:

Each employee will receive bi-annually at open enrollment (odd years) an information package containing:

1. Information concerning the dangers of drug abuse in the workplace;
2. Information concerning any available drug counseling, rehabilitation, and employee assistance programs;
3. Information concerning the penalties that will be imposed for the breach of the County's Drug Free Workplace Policy;
4. Notice to the employee that any work-related conviction of any federal or state criminal drug statute must be reported in writing to the Employer within five (5) calendar days after such conviction.

F. Training:

1. All employees and supervisors will receive training in the dangers of drug abuse.
2. All supervisors and managers will receive training in the enforcement or changes of this policy.