

**CERTIFICATE OF RECEIPT  
Drug Free Workplace Act Policy  
Adopted by City Council: December 30, 1996**

I, The undersigned, hereby certify that I have been informed of the City of Urbandale's **Drug Free Workplace Act Policy**, which explains how the City intends to handle controlled substance and alcohol abuse. It also explains the requirements for employees convicted of a criminal drug statute.

<b>EMPLOYEE SIGNS</b>	
_____	_____
Employee Signature	Date
_____	_____
Print Name	Department

<b>PARENT or GUARDIAN SIGNS if EMPLOYEE is less than 18 years old</b>	
I, as a parent or guardian for the above minor employee, do hereby acknowledge that I have read the foregoing, that I give permission for the minor to participate in required training and implementation of this policy.	
_____	_____
Parent or Guardian Signature	Date
_____	
Print Name	
=====	
=	
<b>NOTE: The results of a positive alcohol test or positive drug test will be made available to the parent(s) or guardian(s) of an employee who is less than 18 years old.</b>	

<b>TRAINER SIGNS</b>	
_____	_____
Trainer Signature	Date
_____	
Print Name	

<b>PLEASE RETURN SIGNED RECEIPT TO CITY HALL</b>
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# **Drug Free Workplace Act Policy**

City of Urbandale, Iowa

**City Council Adopted: December 30, 1996**

Under the Drug Free Workplace Act, the City of Urbandale (The City) has an obligation to its employees, customers and the public to take reasonable steps to ensure public safety and a safe workplace. The use and abuse of controlled substances or alcohol has proven to have a destructive effect on a person's ability to function in a productive manner. The long term use of controlled substances and alcohol can also have an adverse impact upon the health and personal well-being of employees resulting in attendance problems and unsatisfactory job performance. The City's objective is to maintain employee job performance free from impairment of controlled substances and alcohol and encouraging employees with substance abuse problems to seek professional help.

## **Using Alcohol or a Controlled Substance on the Job**

1. Employee use or possession of alcohol on The City's property, work sites, or during work hours is prohibited.
2. Any abuse of legal drugs during working hours, lunches and breaks is not permitted.
3. Unlawful manufacture, distribution, dispensing, possession, or use of controlled substances is not permitted on The City's property or during working hours.
4. Employees who are in emergency on-call status must be prepared to report to work free from substance abuse impairment.
5. Employees who are taking a drug or medication that causes side effects (e.g., drowsiness, or impaired reflexes) shall inform their supervisor that they are taking such medication. Any prescription drugs or over-the-counter medication that employees are taking on the job should be kept in their original containers. Employees will inform their supervisor of the possible side effects and the expected duration of use. If the use of medication could cause safety problems, the supervisor in conjunction with other appropriate representatives of The City may grant the employee sick leave or temporary reassignment to different duties.
6. Employee violating any of the above requirements may be disciplined up to and including dismissal.

## **Testing Practices**

1. Pre-employment controlled substance testing will be administered as part of the pre-employment process. All offers of employment will be contingent upon the successful completion of a controlled substance test.
2. Notice of testing will be included in employment advertisements. Applicants will also be verbally informed of the controlled substance testing requirement during the first interview.
3. Alcohol and controlled substance sampling and testing will be conducted by a certified laboratory or testing facility contracted by The City.

## **Probable Cause**

1. When job performance has become impaired by substance abuse during working hours, the employee will be asked to leave the workplace. If a supervisor has reason to believe (probable cause) that substance abuse is the cause of impairment and/or where the impairment presents a danger to the safety of employees or the general public, those employees may be directed to undergo a controlled substance and/or alcohol test.
2. When supervisors suspect a need for probable cause testing, they will review the situation with their director, and any other appropriate individual of The City to determine if testing is appropriate. Subsequent to investigation, employees may be counseled and disciplined up to and including dismissal.

## **Results of Testing**

1. The City will protect the confidentiality of the results of all controlled substance and alcohol testing conducted.
2. If the test indicates a positive result for the presence of a controlled substance or a positive result for the presence of alcohol, a second confirmation test will be conducted using the same sample and an alternative method of analysis.
3. Employees will be accorded an opportunity to rebut or explain the results of a positive test.

## **Consequences of a Positive Test**

1. The City will coordinate substance abuse evaluation and treatment through an Employee Assistance Program the first time an employee's controlled substance test indicates the presence of alcohol or controlled substances.
2. The controlled substance and alcohol procedures used for the City's policy for employees required to have Commercial Driver's License will also be used for other City employees, which are described below.

The following guidelines were developed to inform the employee and to guide the City in the consistent application of this policy. If an employee experiences a positive test result for drugs and/or alcohol, including the obstruction of a test or the refusal to take a test, the employee will be required to participate in a mandatory evaluation by a substance abuse professional provided through the City's Employee Assistance Program or other city resources. The disciplinary record for positive test result will become a part of the employee's personnel file for a period of five (5) years from the date of occurrence, and then it will be removed.

1. Alcohol Concentration of greater than or equal to 0.02%, but less than 0.04%.
  - a. Beginning of work shift
    - 1). The 1st Offense will result in:
      - a). Suspension for balance of the work day; plus
      - b). Mandatory evaluation by a substance abuse professional
    - 2). The 2nd Offense will result in:
      - a). Suspension for the balance of the work day; plus
      - b). Mandatory evaluation by a substance abuse professional
      - c). Remain off work until cleared by the substance abuse professional to return to work.
    - 3). Prior to 3rd Offense, an employee has the option to notify their Department Director of reoccurring use prior to any announcement of a test that would result in a third offense. An employee seeking this option would be required:
      - a). To self declare reoccurring use; plus
      - b). Attend a mandatory evaluation by a substance abuse professional; plus
      - c). Remain off work until cleared by the substance abuse professional to return to work.
    - 4). The 3rd Offense results in discharge, if the employee has not chosen the preceding option, and a test results in a third offense.
  - b. During or End of Work Shift
    - 1). The first offense will result in:
      - a). Suspension for balance of the work day; plus
      - b). Mandatory evaluation by a substance abuse professional; plus
    - 2). Prior to the 2nd Offense, an employee has the option to notify their Department Director of reoccurring use prior to any announcement of a test that would result in a second offense. An employee seeking this option would be required:
      - a). To self declare reoccurring use; plus

- b). Attend a mandatory evaluation by a substance abuse professional; plus
    - c). Remain off work until cleared by the substance abuse professional to return to work.
  - 3). 2nd Offense will result in discharge, if the employee has not chosen the preceding option, and a test results in a second offense.
- 2. Alcohol Concentration of greater than or equal to 0.04% or a Positive Controlled Substance Test.
  - a. The following consequences are for positive tests at the beginning of work shift, during the work shift, or at the end of shift.
    - 1). The 1st Offense will result in:
      - a). Suspension for the balance of day; plus
      - b). Mandatory evaluation by a substance abuse professional; plus
      - c). The employee will remain off work until cleared by the substance abuse professional to return to work.
    - 2). Prior to 2nd Offense, an employee has the option to notify their Department Director of reoccurring use prior to any announcement of a test that would result in a second offense. An employee seeking this option would be required:
      - a). To self declare the reoccurring use; plus
      - b). Attend mandatory evaluation by a substance abuse professional; plus
      - c). Remain off work until cleared by the substance abuse professional to return to work.
    - 3). 2nd Offense will result in discharge, if the employee has not chosen the preceding option, and a test results in a second offense.

### **Notification of Conviction and Consequences to Employment**

- 1. In compliance with the Drug Free Workplace Act, the City requests notification in writing from an employee who's been convicted on a citation of a criminal drug statute occurring in the workplace within 5 days of the conviction.
- 2. Disciplinary action will be taken against the employee, which may be up to and including dismissal. The conviction will be investigated and disciplinary action will be taken that will ensure The City is maintaining a safe and productive environment for its employees and citizens.