

Camden County Library District Policy Manual

Section 1. Employees

Subsection 22. Drug & Alcohol-Free Workplace Policy

PURPOSE

The Camden County Library District (CCLD), in conformity with the Federal Drug-Free Workplace Act of 1988, and any amendments thereto, hereby adopts this policy (1) setting forth CCLD's drug-free awareness program, (2) prohibiting unlawful controlled substances in the workplace, and (3) requiring the reporting of criminal drug statute convictions relating to the workplace. This policy also prohibits other employee actions involving controlled substances which affect the workplace or employment and certain employee actions involving alcohol and/or legal drugs.

The following policy shall further serve as a statement of concern and as a guide to this library's intention regarding substance abuse. The library recognizes the state of an employee's health may affect his/her job performance, the kind of work he/she can perform, and his/her opportunities for continued employment. The library also recognizes alcohol and drug abuse ranks as a significant health problem. It is the intent of this policy to encourage awareness of substance abuse problems and to provide guidelines for consistent handling of alcohol and substance usage situations. In the final analysis, the library intends to do what it can to provide a drug and alcohol-free, safe working environment, to promote the health, well-being, and productivity of its employees, and to establish clear policies for behavior.

SCOPE

This policy shall apply to all employees, the library's contractors and vendors, and any unpaid representatives governed by these personnel policies and procedures, including volunteers and practicum students.

The Board of Trustees will be responsible for actions taken regarding their membership. All other unpaid representatives, contractors, and vendors who violate this policy will be relieved of any existing library duties. The actions to be taken as hereinafter outlined in this policy will be limited to paid employees.

DEFINITIONS

1. "Controlled Substances" are those set forth in Schedules I through V of Section 202 of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 USC 812). See the Human Resource Manager for a copy of these sections.
2. "Conviction" means a finding of guilt (including a plea of nolo contendere or no contest), an imposition of sentence, or both, by a judicial body charged with the responsibility to determine violations of Federal or State criminal laws.

3. "Legal drugs" means prescription drugs, for which the employee has a valid prescription (including prescription controlled substances) and over-the-counter drugs.

POLICY

Early recognition and treatment of chemical dependency problems are important for successful rehabilitation, employee job performance, and reduced personal, family, and social disruption. The library supports sound treatment efforts: an employee's job will not be jeopardized for conscientiously seeking assistance, and, in fact, employees are encouraged to seek assistance for drug and/or alcohol problems. Information on drug and alcohol counseling, rehabilitation, and employee assistance programs is available upon request, without penalty, to all employees on a confidential basis from the Business Manager. Additionally, supervisors will observe employee performance and document negative changes and problems in performance. Supervisors will advise employees of the availability of drug and alcohol counseling, rehabilitation, and employee assistance programs where appropriate. Constructive disciplinary measures may be used to provide motivation to seek assistance. Normal library benefits, such as sick leave, are available to give help in the rehabilitation process. Rehabilitation itself is the responsibility of the employee. All information received by CCLD through the drug-free workplace program is confidential. Access to this information is limited to those who have a legitimate need to know in compliance with relevant laws and management policies.

If any part of this policy is determined to be void or unenforceable under state or federal law, the remainder of the policy, to the extent possible, shall remain in full force and effect.

It is further the policy of CCLD that:

1. CCLD establishes, implements, and promotes an ongoing drug and alcohol-free awareness program informing employees about:
 - a. the dangers of drug and alcohol abuse;
 - b. CCLD's policy of maintaining a drug and alcohol-free workplace;
 - c. the availability of drug and alcohol counseling, rehabilitation, and employee assistance programs; and
 - d. penalties for violation of this policy.
2. To ensure that all employees are aware of this policy, each employee will receive a copy of the Drug & Alcohol-Free Workplace policy, and the policy will be posted in an area that is accessible to all employees. Employees shall, as a condition of employment with CCLD, abide by the terms of this policy.
3. The unlawful manufacture, distribution, dispensing, possession, or use of controlled substances or drug paraphernalia or unlawfully being under the influence of controlled substances, while on library premises, in any library-owned vehicles, or while working (all hereinafter being referred to as "the workplace") is strictly prohibited.

4. The distribution, dispensing, possession, or use of alcohol in the workplace is strictly prohibited unless authorized by the Director.
5. To use or be under the influence of alcohol, legal drugs, or controlled substances, at any time, to the extent that an employee's work performance or fitness for duty is adversely affected is prohibited. Prescription drugs are also prohibited if the safety of the employee or others may be affected, or job performance is affected, and reasonable accommodation, if required, does not remedy the danger or performance issues.
6. All employees must notify their immediate supervisor in writing within five (5) days of any criminal drug statute conviction for a violation occurring in the workplace.
7. All employees must notify their immediate supervisor in writing within five (5) days of any criminal alcohol statute conviction for a violation occurring in the workplace.
8. Within ten (10) days of receiving notice of any employee's criminal drug statute conviction for a violation occurring in the workplace, if the employee was or is engaged in the performance of a grant, CCLD must provide written notice to the appropriate person or office in the Federal agency from which the federal grant was received, which shall include the convicted employee's position title and the grant identification number.
9. Within thirty (30) days of receiving notice of an employee's drug or alcohol statute conviction for a violation occurring in the workplace, a CCLD supervisor, Business Manager, or the Director shall:
 - a. Take appropriate action against such employee, up to and including discharge; or
 - b. Require such employee, at the employee's expense (subject to coverage by any applicable benefit plan), to participate satisfactorily in a drug or alcohol abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health law enforcement, or other appropriate agency.

Failure by CCLD to act within such thirty (30) day period shall not preclude appropriate action by CCLD or the employee's required successful participation in an approved program as set forth in subparagraph b.

Other violations of this policy shall be subject to Disciplinary Action. Additionally, or alternatively, CCLD may require successful participation in an approved program as set forth in subparagraph b. Any violation of this policy by an employee is considered misconduct.