

10.8 Drug & Alcohol-Free Workplace

Revision Date(s): December 22, 1992 & May 10, 2016

Effective Date: **June 5, 2020**

Policy

Lake County is committed to protecting the safety, health and wellbeing of all employees and other individuals in our workplace. We recognize that alcohol and drug abuse pose a significant threat to our goals. We have established a drug free workplace program that balances our respect for individuals with the need to maintain an alcohol and drug free environment.

Employees are expected and required to report to work on time and in appropriate mental and physical condition for work. It is the County's intent and obligation to provide an alcohol and drug-free, healthful, safe and secure work environment.

No employee may manufacture, distribute, dispense, possess or be impaired by alcohol, marijuana/cannabis, illegal drugs or a controlled substance while on County premises or while conducting County business off County premises. This includes medical cannabis as defined by the Illinois Compassionate Use of Medical Cannabis Pilot Program.

Prescription Medications

Nothing in this policy prohibits the appropriate use of prescription medications legally prescribed by a licensed physician. However, it is the employee's duty to discuss with the prescribing physician any adverse effects which that medication may have on the ability to safely perform job functions and to inform their supervisor and the Director of Human Resources of those adverse effects. The disclosure is only related to on-the-job prescription drug use.

If a prescribing physician advises an employee to refrain from making business decisions or driving, or restricts some other major life functions due to the effects of the prescription, then the employee must obtain that restriction in writing and provide it to their supervisor and the Director of Human Resources. The Director of Human Resources by means of contacting the physician or medical practitioner or by whatever other means deemed advisable, will investigate whether it is necessary to impose any restriction on employment as a result of the employee's use of the prescription. If it is determined that the legally prescribed medication may affect or interfere with the safety and effectiveness of job performance, then the County may remove the employee from the position until such time the prescription medication is discontinued or dosage reduced. Upon notification of a reduction in dosage, the Director of Human Resources will re-evaluate the restriction and render a new determination.

Drug and Alcohol Testing

To ensure the accuracy and fairness of our testing program, all testing will be conducted according to Substance Abuse and Mental Health Services Administration (SAMHSA) guidelines where applicable.

All drug-testing will be conducted by an outside vendor and information will be maintained by that vendor in separate confidential records.

Each employee, as a condition of employment, will be required to participate in the following types of testing: (1) pre-employment, (2) post-accident, and (3) reasonable suspicion testing upon request of management, including testing upon the manifestation of specific, articulable symptoms that indicate that an employee is using or has used drugs or alcohol in violation of this policy.

Testing for the presence of alcohol will be conducted by the analysis of breath.

Testing for the presence of the metabolites of drugs will be conducted by the analysis of urine.

Any employee who tests positive will be immediately removed from duty.

An employee will be subject to the same consequences of a positive test if they fail to cooperate in or delay the testing process in such a way that prevents the timely completion of the testing, including but not limited to if they refuse the screening, adulterates or dilutes the specimen, substitutes the specimen with that from another person, sends an imposter to provide a specimen, or does not sign the required forms. Employees who leave the scene of an accident without justifiable explanation prior to submission to testing will also be considered to have refused to cooperate.

Discipline and Remedies

Violations of this policy will result in disciplinary action, up to and including termination, and may have legal consequences. In the case of an applicant, if they violate the drug free workplace policy, an offer of employment will be withdrawn. An employee that is a "qualifying patient," as defined by the Illinois Compassionate Use of Medical Cannabis Pilot Program Act, that is subject to discipline for impairment will be afforded a reasonable opportunity to contest the basis for the determination of discipline.

The County recognizes drug and alcohol dependency as an illness and a major health problem. The County also recognizes drug and alcohol abuse as a potential health, safety and security problem. Employees needing help in dealing with such problems are encouraged to use our Employee Assistance Program (EAP) and health insurance plans, as appropriate. However, the ultimate financial responsibility for recommended treatment belongs to the employee.



Employee Policies and Procedures

Conscientious efforts to seek such help will not jeopardize any employee's job and will not be noted in any personnel record.

Employees must, as a condition of employment, abide by the terms of County policy and report any conviction under a criminal drug statute for violations occurring on or off County premises while conducting County business. A report of a conviction must be made within five (5) days after the conviction (This requirement is mandated by the Drug-Free Workplace Act of 1988 and includes reporting the conviction to the federal government).