

## CORPORATE POLICY

**SUBJECT: Drug Free Workplace Act**    **POLICY NUMBER: 10.9**  
**ORIGINAL DATE: February 14, 1995**  
**REVISION DATE: May 1, 1996**  
**REVISION DATE: November 16, 2011**  
**REVISION DATE: July 27, 2016**

### I. POLICY:

Lake County Health Department and Community Health Center is committed to protecting the safety, health and well-being of all employees and customers to ensure a safe workplace. We recognize that alcohol abuse and drug use pose a significant threat to our mission, vision, values and 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.

**Deleted:** The Lake County Health Department and Community Health Center is committed to the well being of its employees and clients and to a safe workplace. For these reasons, the unlawful manufacture, distribution, dispensation, possession, sale or use of a controlled substance or misuse of prescription medication or alcohol during normal work hours or on Health Department premises will not be tolerated. The intent of this policy is to comply with the Drug-Free Workplace Act of 1988.¶

### II. SCOPE:

All Lake County Health Department and Community Health Center employees

### III. PROCEDURE:

This is to reiterate, and state in a formal way, our policy and procedure regarding the work-related effects of drug and alcohol use, the unlawful possession or sale of controlled substances, or misuse of prescription medications while on company premises.

1. No employee may manufacture, distribute, dispense, possess, use, or be impaired by an illegal drug, a controlled substance without prescription or misuse, prescription medications while on County premises or while conducting Health Department business off Lake County premises. This includes medical cannabis as defined by the Illinois Compassionate Use of Medical Cannabis Pilot Program. No employee may be impaired by alcohol or medication while on Lake County premises or while conducting Health Department business off Lake County premises.

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2. Employees are expected and required to report to work on time and in appropriate mental and physical condition for work. Individuals reporting to work exhibiting certain behaviors (i.e. incoherent, smelling of alcohol, dilated pupils, slurred speech, unsteady gait, etc.) may be suspected of being under the influence and, not in an appropriate mental and physical condition for work.

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### Drug and Alcohol Testing

3. Reasonable suspicion for testing: Employees may be required to undergo drug and/or alcohol testing if a supervisor observes signs and symptoms that lead them to believe that the employee may pose a threat to him/her self, other employees, clients or the



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Health Department and  
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public or if the employee is unable to perform the essential duties of their job description.

- 4. 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.
- 5. All drug-testing will be conducted by an outside vendor and information will be maintained by that vendor in separate confidential records.
- 6. Each employee, as a condition of employment, will be required to participate in pre-employment, post-accident, and reasonable suspicion testing upon request of management, including testing upon the manifestation of specific, articulable symptoms while working that decrease or lessen his or her job performance.
- 7. Testing for the presence of alcohol will be conducted by the analysis of breath.
- 8. Testing for the presence of the metabolites of drugs will be conducted by the analysis of urine.
- 9. Any employee who tests positive will be immediately removed from duty. **pending a disciplinary hearing.**
- 10. An employee will be subject to the same consequences of a positive test if he or she fails to cooperate in the testing process in such a way that prevents the completion of the test, including but not limited to if he or she refuses 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.

**Discipline and Remedies**

- 11. 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 he or she violates 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 of the determination of discipline.
- 12. Employees must, as a condition of employment, report any conviction under criminal drug statute for violations occurring on or off Health Department premises while conducting Health Department business. A report of a conviction must be made within five (5) working days after the conviction. (This requirement is mandated by the Drug-Free Work Act of 1988.)
- 13. The Health Department recognizes drug and alcohol dependency as a potential health, safety, and security problem. Employees needing help in dealing with such problems are encouraged to use our confidential employee assistance program and health insurance plans, as appropriate. **However, the ultimate financial responsibility for recommended treatment belongs to the employee. Conscientious efforts to seek such help will not jeopardize any employee's job, and will not be noted in the personnel record.**

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14. As part of our established and ongoing awareness program for all employees on the dangers of drug and alcohol abuse in the workplace, this policy will be discussed with new employees. All employees are requested to sign an acknowledgment that he/she has received a copy of our Drug and Alcohol Free Workplace Policy and the compliance with the policy is a term and condition of employment.

**IV. REFERENCE:** None

**V. AUTHORS/REVIEWERS:**

Human Resources Staff, Corporate Policy and Procedure Committee, Executive Team, and Lake County Board of Health Personnel Committee

**VI. APPROVALS:**

Lake County Board of Health President

Signature: \_\_\_\_\_ Date: \_\_\_\_\_