

**19.0 - DRUG AND ALCOHOL FREE WORK PLACE**

**19.1 - Purpose** - The City recognizes that the use and/or abuse of controlled substances, narcotic drugs and/or alcohol has an adverse impact on the general health, welfare and safety of the users, abusers and general public. In order to neutralize this adverse impact, and to maintain the high standards of morale, productivity and efficiency in City's operations, the City has instituted a drug and alcohol free workplace program.

**19.2-** The City prohibits employees from engaging in the following conduct:

**19.2.1** - Using, possessing, dispensing, distributing or receiving alcohol, intoxicants, illegal drugs or other controlled substances on City premises, or while engaged in City business.

**19.2.2** - Reporting to work under the influence of a prescription drug, unless the employee's physician determines that the use of the prescription drug will not adversely affect the employee's ability to perform in his or her position.

**19.2.3** - Reporting to work under the influence or with any measurable amount of alcohol, intoxicants, illegal drugs, or other controlled substances in their system.

**19.2.4** - Consuming any amount of alcohol, intoxicants, illegal drugs or other controlled substances while on duty or within four (4) hours of reporting for duty.

**19.2.5** - Refusing to undergo or cooperate in any alcohol or drug testing required by this policy.

**19.2.6** - Deliberately misusing this policy in regard to subordinates.

**19.3** - In accordance with the Federal Law, Omnibus Transportation Employee Testing Act of 1991, 49 U.S.C. § 31306, the City conducts alcohol and controlled substance testing. The City is also a Drug and Alcohol Free Workplace pursuant to Chapter 440, Florida Statutes. As part of the Drug and Alcohol Free Workplace Program, the City will reserve the right to require employees to submit to a drug and alcohol test when reasonable suspicion exists to believe that the employee may be using and/or abusing controlled substances, narcotic drugs or alcohol.

**19.4** - The City shall select the time and place for the administration of the test, and analyze the results and circumstances involved in the actions that led to the testing before reaching a final conclusion on the particular case.

## **RULE 19**

**19.5** - Employees who seek assistance for substance abuse, prior to being tested under these rules, will not be disciplined for seeking such assistance. Voluntary participation in a treatment program does not preclude disciplinary action when issues such as job performance or employee behavior arise. This does not apply to Police Officers.

**19.6** - The City Manager or designee in conjunction with the Human Resources Director (or designee) will make the final determination on whether to require an employee to submit to a drug and alcohol test.

**19.7** - Employees with a CDL license will undergo testing pursuant to the Omnibus Act. An employee with a positive controlled substance result will be immediately terminated.