



Policy HR 14.4

Drug and Alcohol Use

Adopted by the Library Board of Trustees: 01/24/2013
Revised: 02/23/2017

NOLS recognizes alcoholism and drug abuse have an adverse effect on job performance and public safety. The Library's policy on substance abuse reflects its concern for the well-being of the employee and the safety of other employees and members of the public.

The North Olympic Library System strictly prohibits the possession, consumption, sale, distribution, or being under the influence of, alcohol marijuana, or controlled substances in the workplace or during work time. When employees are on the job, they are expected to be free from any impairment or substance which would contribute to an injury, accident, property damage, or interfere with productivity. They are to be free of illegal drugs or potentially impairing levels of legal substances. In short, all employees are expected to be "drug- and alcohol-free" and "fit for work."

The possession and use of medically prescribed and over-the-counter drugs during work hours is permissible, provided the prescription drugs are specifically prescribed by an authorized health care provider for the use of that employee and use of prescription or over-the-counter drugs complies with the recommended dosage and usage. An employee who needs to use or be under the influence of prescription or over the counter drugs while at work, must inform his or her supervisor of such usage if the employee knows, or the prescribed or over-the-counter drug contains a warning notice, that use could impair the employee's ability to perform his or her job safely and effectively or could endanger others. Depending on the circumstances, employees may be reassigned, prohibited from performing certain tasks, or prohibited from working while using the medication.

I. Availability of rehabilitation or treatment

As part of the Library's Employee Assistance Program (EAP), employees who are concerned about alcohol or drug use are encouraged to seek counseling, treatment and rehabilitation. Although the decision to seek diagnosis and accept treatment is completely voluntary, the Library is committed to assisting employees who voluntarily come forward to overcome substance abuse problems, on the condition the employee utilizes the EAP before the performance problems occur. In recognition of the sensitive nature of these matters, all discussions between the employee and the EAP provider will be kept confidential. Employees who seek advice or treatment prior to a performance problem will not be subject to retaliation or discrimination. Continued poor performance or failure to successfully complete an assigned rehabilitation program, however, may be grounds for discipline, up to and including termination. Also, if a disciplinary course of action has already begun before an employee requests assistance through EAP, NOLS may continue on that disciplinary course, and if termination occurs, access to the EAP services may terminate.

2. When job performance is affected

Although the Library is concerned with rehabilitation, disciplinary action may be taken when an employee's job performance is impaired because the employee is under the influence of, or affected by the use of, drugs or alcohol. The Library may discipline or terminate an employee who possesses, consumes, sells, purchases, distributes or uses alcohol, marijuana, or controlled substances (other than those legally prescribed) during work hours. The Library may also discipline or terminate an employee who reports for duty or who works under the influence of, or is affected by, alcohol, marijuana, or controlled substances. An employee may be required to submit to alcohol, marijuana, or controlled substance testing when the Library has reasonable suspicion the employee is under the influence of alcohol, marijuana, or controlled substances. Employees involved in accidents which require medical attention or result in a non-trivial amount of property damage may be subject to a drug and/or alcohol screen. Refusal to submit to Library-requested testing may result in immediate disciplinary action, up to and including termination.

3. Prohibitions

- a. The unauthorized use, sale, distribution, purchase or possession of alcohol, marijuana, or controlled substances at the work site or during work hours is prohibited and shall be grounds for discipline up to and including dismissal.
- b. The use of Library property or the employee's position within the Library to make or traffic intoxicants, illegal drugs or controlled substances may be grounds for discipline, up to and including termination.
- c. Any other use, possession or trafficking of intoxicants, illegal drugs or controlled substances in a manner which is detrimental to the interest of the Library may be grounds for discipline up to and including discharge.
- d. Reporting to work (including overtime call-outs) under the influence of alcohol, marijuana, or drugs, or any substance which impairs an employee's mental or physical capacity, will not be tolerated. Under no circumstances will an employee be allowed to operate equipment or drive a motor vehicle when it reasonably appears an employee's ability to do so is impaired. Any employee using medication or prescribed drugs which may impair job performance shall report this fact in writing to his/her supervisor.

4. Supervisor responsibilities

If a supervisor has reasonable grounds to believe an employee is under the influence of alcohol or drugs when reporting for work or during the work shift, the supervisor has an obligation to verify the employee's condition and relieve the employee of his/her duties. The supervisor should seek the opinion of at least one additional supervisor, manager or department head, whenever practical.

The possibility of NOLS or supervisor liability exists if an employee who is under the influence of alcohol, marijuana, or drugs is allowed to remain working, operate or drive vehicles or equipment on the job or drive a private vehicle from the work site. An employee who is

believed to be under the influence of alcohol or drugs should not be allowed to operate equipment or drive a vehicle, including a private vehicle, until it is determined the employee possesses the ability to safely operate the equipment or drive a vehicle. If an employee is impaired, a supervisor should transport or arrange transportation of the employee to a medical facility or the employee's home, as appropriate.

A supervisor or manager who observes a continuing decline in an employee's job performance or attendance is encouraged to refer the employee to the EAP when usual supervisory actions have failed to yield improvement. In cases where other management methods have failed to improve an employee's job performance, the supervisor has the option to mandate an employee's participation in a structured screening and treatment program as an alternative to dismissal for unacceptable job performance. The employee's compliance with recommendations by the EAP is voluntary. Use of the program is confidential and does not replace normal disciplinary procedures for unsatisfactory job performance.

5. Notification requirement

Employees must notify the Library Director or his/her designee of any criminal drug conviction for a violation occurring in the workplace or during work hours within five (5) days after the conviction. Appropriate disciplinary action shall be taken against the employee with respect to the conviction, up to and including termination. If the employee is not terminated, participation in an approved drug abuse assistance or rehabilitation program may be required. The supervisor is required to document the referral and other actions taken.

6. Drug and alcohol testing

The Library may require an employee to submit to appropriate tests, including urinalysis, to confirm the existence of alcohol, marijuana, or prohibited drug or substance in his or her system when:

- a. The Library has a "reasonable suspicion" the employee may be under the influence of, or affected by, drugs or alcohol while on duty; and/or
- b. The employee, is involved in a workplace or work-time accident which results in a fatality or injury, or results in a non-trivial amount of property damage, or in which the employee is cited under state or local law for a moving traffic violation.

"Reasonable suspicion" may include, but is not limited to credible information that an employee may be affected by drugs or alcohol, bizarre behavior in the workplace, a change in productivity, repeated tardiness or patterned absences, contemporaneous observations by a supervisor or another person or upon an employee's admission to having consumed or used drugs or alcohol.

An employee's refusal or failure to permit such tests upon the Library's request is cause for disciplinary action, up to and including termination.

7. Administration

All managers and supervisors are responsible for administering this policy.