

Human Resources Policy Bulletin

Lancaster County

Number: 2015 - 3

Date: August, 2015

Reference:	Title:
Drug-Free Workplace Act of 1988 - 41 USC 701 Human Resources Policy Bulletin 2015-2 Employee Assistance Program Supercedes: Personnel Policy Bulletin 97-2	Drug-Free Workplace Act Policy

OBJECTIVE

It is the objective of Lancaster County to maintain a drug-free workplace for employees.

SCOPE OF PROBLEM

The use of illegal drugs and unauthorized controlled substances is a nationwide problem that takes a tremendous toll on individuals and their families. It has been estimated that approximately 10% of American workers regularly use cocaine, marijuana, heroin or some other illegal drug. Use of illegal drugs has been shown to lead to severe health problems, emotional disorders, financial hardships and the break-up of families.

The use of illegal drugs and unauthorized controlled substances by employees jeopardizes the safety and health of themselves, their co-workers and the public that rely on our services. Illegal drug use also results in decreased productivity and quality and increased medical expenses, absenteeism, tardiness, accidents and turnover.

It is the responsibility of the County to maintain a productive work force in a safe work environment and to preserve the quality of services provided by the County.

POLICIES ON POSSESSION OR USE OF ILLEGAL DRUGS

Employees found to be involved in the use, manufacture, distribution, dispensing or possession of illegal drugs or unauthorized controlled substances while on County premises or in the course of conducting County business will be subject to disciplinary action up to and including termination.

Off-duty use of illegal drugs can also influence an individual's job performance. Employees must report to work in a fit condition for duty. Having used alcohol or drugs which may affect job performance is prohibited and is cause for disciplinary action as defined by Lancaster County's policies:

- 1) Federal Department of Transportation, hereinafter referred to as DOT
- 2) Federal Motor Carrier Safety Administrations, hereinafter referred to as FMCSA,
- 3) Non-DOT Drug and Alcohol.

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The County is concerned about alcohol and drug abuse as it affects job performance, the work environment, and as it undermines the public's confidence in the County.

EMPLOYEE ASSISTANCE PROGRAM

The County recognizes drug and alcohol use may affect job performance and is a major health and potential safety problem. Therefore, the County provides channels of help for personal problems; however, it is the employee's responsibility to seek and accept help. Employees needing help in dealing with such problems are encouraged to voluntarily use the Employee Assistance Program. To the extent possible, conscientious efforts to seek such help will not jeopardize an employee's job, provided the employee accepts the help, becomes rehabilitated and job performance meets expected levels.

Supervisors and employees can access the Employee Assistance Program in accordance with Human Resources Policy Bulletin 2015-2.

REQUIREMENTS OF EMPLOYEES

In accordance with the provision of the Drug-Free Workplace Act of 1988, employees are required as a condition of employment to agree to:

- 1) Abide by the terms of the County's drug-free workplace policies.
- 2) Advise the employer within five (5) days of any criminal drug statute conviction for a violation that occurred on County premises or in the course of conducting County business.

REQUIREMENTS FOR THE EMPLOYER

In accordance with the provision of the Drug-Free Workplace Act of 1988, employers are required to:

- 1) Establish a drug-free awareness program to inform employees about:
 - a) the dangers of drug abuse in the workplace;
 - b) the policy of maintaining a drug-free workplace;
 - c) available drug counseling, rehabilitation and employee assistance programs;
 - d) penalties that may be imposed upon employees for drug abuse violations.

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- 2) The Drug Free Workplace Awareness Program is found on the Human Resources Intranet forms file for administration.
 - a) Upon completion of the training program, the employee shall sign a receipt acknowledging the policy, and forward the form to the Human Resources department.
 - b) All new employees shall read the Drug Free Workplace Act Policy bulletin and sign the receipt acknowledging the policy and forward the form to the Human Resources department.
- 3) Provide a copy of the policy to each employee engaged in the performance of a federal contract.
- 4) Notify the employee engaged in the performance of a federal contract that as a condition of employment, the employee will abide by the terms of the policy.
- 5) Notify the contracting agency within 10 days after receiving notice of any criminal drug statute conviction occurring in the workplace.
- 6) Impose a sanction on or requiring the satisfactory participation in a drug abuse assistance or rehabilitation program by any employee who is convicted of a criminal drug statute occurring in the workplace.
- 7) Make a good faith effort to continue to maintain a drug free workplace.

SANCTIONS

Each contract awarded by a Federal Agency shall be subject to suspension, termination or debarment in accordance with the requirements of the Drug-Free Workplace Act of 1988 if it is determined that:

- 1) The County has made a false certification.
- 2) The County violates the certification by failing to carry out the requirements.
- 3) Such a number of employees of the County have been convicted of violations of criminal drug statutes for violations in the workplace as to indicate that the County has failed to make a good faith effort to provide a drug-free workplace.

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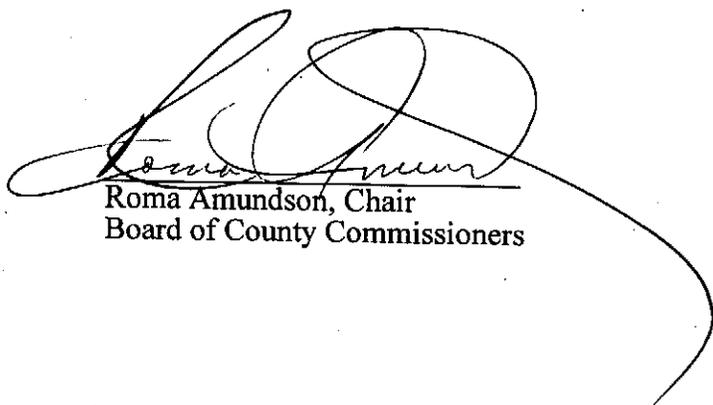
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Douglas J. McDaniel
Human Resources Director

9-16-15
Date


Roma Amundson, Chair
Board of County Commissioners

9-18-15
Date

RECEIPT

FOR

CITY OF LINCOLN/LANCASTER COUNTY DRUG FREE WORKPLACE ACT

In accordance with the Drug Free Workplace Act of 1988 - 41 USC 701, I hereby acknowledge that the City of Lincoln/Lancaster County has a Drug Free Workplace Act Policy.

I further acknowledge that I can view a copy of this policy on the following web site.

<http://www.lincoln.ne.gov/city/person/city/PPB/DrugFreeAct2015.pdf>

or

<http://www.lincoln.ne.gov/city/person/county/PPB/ppbdfwa.pdf>

I understand and acknowledge that failure to comply with this policy may result in disciplinary action up to and including termination.

Print Name

Signature

____ XXX - XX - _____
Last 4 Digits of Social Security Number

Department

Date

Please forward completed form to the Human Resources Department