

**Attachment F**  
City and Borough of Sitka Drug Free Workplace Act Policy Statement

**Purpose:**

This statement is provided pursuant to the Drug-Free Workplace Act of 1988.

**Statement:**

The City and Borough of Sitka has a policy of maintaining a drug-free workplace. In accord with the Drug-Free Workplace act of 1988 an to promote drug-free awareness among employees, the City and Borough, through posting of notices and discussions with employees regarding this policy will inform employees that:

1. Drug Abuse in the workplace creates a dangerous environment in the workplace for the employee engaged in the drug abuse and endangers the health, safety and welfare of all employees and other persons in the workplace.
2. It is the policy of the City and Borough to maintain a drug-free workplace. The illegal manufacture, distribution, possession or use of controlled substances in this workplace is strictly prohibited.
3. Information will be available on a confidential basis through the Human Resources Department, on public and private drug counseling, rehabilitation, and employee assistance programs, upon the request of any employee.
4. Actions may be taken against employees for violations of the City and borough policy, up to and including termination of employment.

**Policy and Procedures:**

The unlawful manufacture, distribution, possession, or use of a controlled substance is prohibited on any premises occupied or controlled by the City and Borough. Appropriate disciplinary actions, which may include termination, will be taken against City and Borough employees for violations of this prohibition.

“Controlled substance” for purposes of this Statement means a controlled substance listed in schedules I through V of section 202 of the Controlled Substances Act (21 U.S.C. 812), and as further defined by federal regulations. (21 C.F.R. 1308.11 – 1308.15). This list includes, but is not limited to, marijuana, heroin, PCP, cocaine and amphetamines.

A condition of employment for work under any grant received by the City and Borough from the federal government, is that each employee directly engaged in the performance of work funded by such a grant will as a condition of continued employment on the contract:

1. Abide by the terms of this Policy Statement.
2. Notify the City and Borough of his or her criminal drug statute conviction for any violation occurring in the workplace no later than five days after such conviction.
  - a) “Conviction” means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the federal or state criminal drug statutes
  - b) “Criminal drug statute” means a federal or non-federal criminal statute involving manufacture, distribution, dispensing, use or possession of any controlled substance.

If the criminal drug statute occurred in the workplace a sanction will be imposed on the employee so convicted. Within 30 (thirty) days after receiving notice of the conviction:

- 1) The City and Borough will take appropriate disciplinary action against such employee, up to and including termination; or
- 2) The City and Borough will require such employee to satisfactorily participate in a drug abuse assistance or rehabilitation program approved for such purpose by a federal, state, or local health, law enforcement or other appropriate agency.

The City and Borough maintains an Employee Assistance Program which provides the following services related to controlled substances: (1) general information about the effects of use of controlled substances, as well as alcohol, and (2) free referral and initial assessment services. It is the City and Borough's policy to permit employees to use sick leave, annual leave, and leave without pay (where possible) to use diagnostic referral, or subsequent counseling services. Further, to the extent practicable and permitted by law, the City and Borough seeks to support all employees in their efforts address personal issues with drug use. Employees are encouraged to use all resources provided to them by the City and Borough of Sitka for addressing drug use issues. Please contact the Human Resource Department for more information. All contacts will be kept strictly confidential.

This notice supplements, and does not replace, the personnel policies of the City and Borough of Sitka.

**I acknowledge that I have received and read the above policy explaining The City and Borough of Sitka's Drug Free Workplace Policy Statement and that violation of this policy may result in discipline, up to and including, termination.**

Date	Print name	Signature of employee