

#### XXIV. DRUG AND ALCOHOL POLICY

24.1 INFLUENCE OF INTOXICANTS AT THE WORKPLACE. Employees are expected to report to work on time in appropriate mental and physical condition for work. Employees are not to report to work under the influence of intoxicants (alcoholic beverages or illegal drugs) and shall not consume, use, or possess intoxicants at any time during their scheduled workday, on Municipal property, or in any Municipal vehicle. The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance as defined in 21 USC § 812 and as further defined in 21 CFR §§ 1300.11. -15, on Municipal premises or while conducting Municipal business off premises is absolutely prohibited. Violations of this policy shall result in disciplinary action, up to and including termination, and may have other legal consequences. Grounds for termination shall include an employee reporting to work at above the legal limit for intoxication (.08 breath or blood alcohol level in Alaska).

24.2 ALCOHOL AND DRUG SCREENING TEST. If a supervisor has reasonable cause to believe that an employee has reported to work under the influence of intoxicants, the supervisor, with the approval of the department head, has the right to request the employee to submit to an alcohol or drug screening test at the Municipality's expense. The failure of an employee to submit to an alcohol or drug screening test shall be grounds for discipline, which may include termination. The results of the alcohol or drug test shall not be used by the Municipality for any purpose other than to determine adherence to Municipal policy, to discipline an employee whenever necessary, and to comply with state and federal laws and applicable terms of this ordinance.

24.3 ALCOHOL AND DRUG DEPENDENCY. The Municipality recognizes alcohol and drug dependency as a major problem. The Municipality also recognizes drug abuse as a potential health, safety and security problem. Employees needing help in dealing with such problems are encouraged to use the Employee Assistance Program. Conscientious efforts to seek such help will not jeopardize any employee's job and will not be noted in any personnel record except where action follows a supervisor-initiated referral. Notify the City and Borough Human Resources Department if help is needed or if there are any questions.

24.4 NONPRESCRIPTION OR PRESCRIBED LEGAL DRUG USAGE. No employee shall be subject to discipline for the appropriate use of legal nonprescription or prescribed legal drugs for the treatment of illness or injury. However, if the employee knows or should know that use of a nonprescription or prescribed drug does or could impair the employee's ability to operate a Municipal vehicle or equipment, or otherwise perform his or her job duties, the employee shall share this information with his or her immediate supervisor. Violation of this section of the policy may subject the employee to disciplinary action.

24.5 REPORTING A CONVICTION. An employee shall, as a condition of employment, abide by the terms of this policy. An employee shall also be required to give the Human Resource Director written notice within five (5) days of any criminal conviction involving illegal drug activity, driving while intoxicated (DUI), or for any other criminal or moving violation that results in a loss of the employee's driver's license. The City and Borough shall take appropriate personnel action.

24.6 CDL HOLDERS All employees who operate commercial motor vehicles are subject to the commercial drivers license requirements of Title 49 of the Code of Federal Regulations. CDL holders must comply with the City and Borough Federal Highways Administration Anti-Drug and Alcohol Policy, which they will receive after gaining employment with the City and Borough.

24.7 SITKA FIRE DEPARTMENT SUBSTANCE ABUSE POLICY. All employees paid and volunteer of the Sitka Fire Department are subject to the Sitka Fire Department Substance Abuse Policy.