

Section 1: INTENT

It is the intention of this policy to ensure the absence of substance abuse and its effects in the workplace by encouraging employees to confront and acknowledge any substance abuse problems with the knowledge that if they do so their employment will not be jeopardized merely by that act. This policy reiterates the City's expectation that employees be able to perform their duties safely and efficiently in the interests of other employees, the public and themselves. The presence and/or use of drugs and alcohol on the job is inconsistent with this expectation.

The City has a voluntary Employee Assistance Program (EAP) for its employees. One of the purposes of EAP is to assist employees who voluntarily seek help for alcohol or drug problems. Employees should contact EAP directly, or their supervisors or the Administrative Services Department for additional information.

Section 2: PURPOSE

1. To provide a drug and alcohol free workplace in accordance with the Drug Free Workplace Act of 1988 and the City of Manteca Personnel Rules and Regulations.
2. To assure the safe and efficient delivery of services to the public.
3. To contribute to a safe work environment.
4. To represent the City in a professional manner.

Section 3: DEFINITIONS

1. Impairment is the emotional or physical inability of an employee to safely and effectively perform his or her job.
2. Reasonable suspicion is a belief based on objective facts and physical indicators, sufficient to lead a reasonable, prudent person to believe that an employee is currently under the influence of, or in possession of, drugs or alcohol.

Section 4: POLICY

1. This policy is applicable to all employees.
2. Employees shall not report for duty if they are impaired due to their use of drugs or alcohol.
3. Employees shall not use alcohol or impairing drugs during the assigned workday/shift (including meal periods and breaks).
4. An employee who is off duty and is called back to work, shall decline the assignment if the employee believes that he or she is impaired due to his or her use, while off duty, of alcohol or drugs.
5. Possession, use, sale or distribution of illegal drugs in the workplace is prohibited. Sale or distribution of any impairing drug in the workplace is also prohibited. The unlawful manufacture, possession, use, sale or distribution of illegal drugs in the workplace is prohibited. Manufacture, sale or distribution of any impairing drug in the workplace is also prohibited
6. Possession, use and sale of opened containers of alcohol is prohibited in the workplace. Possession of alcoholic beverages in City vehicles is prohibited.
7. Upon reasonable suspicion that an employee cannot safely or effectively perform the duties of the job, the employee shall submit to a fitness-for-duty exam so a medical expert can determine their ability to safely perform their job. Refusal to report for the fitness-for-duty exam or to submit to any alcohol or drug testing recommended by the City's medical authority shall be considered insubordination and subject the employee appropriate discipline.
8. Upon reasonable suspicion by two (2) or more supervisors, the City shall have the right to search City owned property, vehicles, desks, closets and lockers, to the extent allowed by law including a search warrant, for alcohol or drugs. If the employee has a personal lock on the locker, the employee shall remove it. Searches of Peace Officers covered by the California Public Safety Officers' Procedural Bill of Rights Act will be conducted in accordance with the provisions of the Act.
9. Employees who violate this policy are subject to discipline up to and including discharge. In the event an employee is convicted of a drug statute violation occurring in the workplace the employee is to report

such to the employer in writing no later than five days after such conviction

10. Exceptions to this policy may be made based on business necessity or legal requirements to transport alcohol or narcotics in City Vehicles.