

DRUG-FREE WORKPLACE

The Zion-Benton Public Library has a longstanding commitment to provide a safe and productive work environment. Alcohol and drugs in the workplace, including cannabis, pose a threat to the health and safety of employees and to the security of our equipment and facilities. For these reasons, the Zion-Benton Public Library is committed to the elimination of drug and/or alcohol use and abuse in the workplace.

Prohibited Activity

The possession, consumption, purchase, sale, transfer, or distribution of alcohol on Zion-Benton Public Library premises is prohibited, unless an exception is made by the Zion-Benton Public Library. No employee shall be under the influence of alcohol while on Zion-Benton Public Library premises or while performing Zion-Benton Public Library business off Zion-Benton Public Library premises, except a moderate amount of alcohol may be consumed at approved Zion-Benton Public Library events provided such consumption does not adversely affect an employee's behavior or judgment and, if the employee will drive a motor vehicle following the event, does not adversely affect the employee's ability to safely and legally drive the vehicle. A violation of this moderate consumption rule will result in discipline up to and including termination of employment.

"Legal drugs" are: (1) drugs that are permitted under state or federal law, (2) obtained by an employee with a physician's prescription or over-the-counter, and (3) used for the purposes for which they were prescribed or sold. Employees using cannabis must be aware of any potential effect such drugs may have on their judgment or ability to perform their duties and should not possess, use, or be under the influence of any cannabis while performing their duties, while on Zion-Benton Public Library property, or while operating vehicles for the Zion-Benton Public Library. Employees are responsible for consulting with their doctors about a prescription medication's effect on their ability to work safely, and promptly disclose any restrictions to their supervisor. In the event an employee fails to report such restrictions and creates a safety threat, neither a physician's prescription nor other medical reason will be an acceptable excuse for being in violation of this policy. Employees should not, however, disclose underlying medical conditions unless specifically directed to do so by the Library Director.

“Illegal drugs” are drugs or controlled substances that are: (1) not legally obtainable under federal or state law, or (2) legally obtainable under federal and state law, but not obtained and/or used in a lawful manner. The use, purchase, sale, transfer, possession, being under the influence, or the presence in one's system of a detectable amount of an illegal drug by any employee is prohibited: (1) on Zion-Benton Public Library premises or (2) where the employee is performing Zion-Benton Public Library business off Zion-Benton Public Library premises.

Testing for alcohol and drugs

The Zion-Benton Public Library will require a drug and alcohol test of any employee where there is a reasonable suspicion to believe that he or she may be using drugs or may be under the influence of drugs or alcohol while working, on Zion-Benton Public Library premises, or operating Zion-Benton Public Library vehicles. “Reasonable suspicion” will be based on objective factors such as the employee's appearance, speech, behavior, or other conduct or facts that indicate the employee is under the influence of illegal drugs, cannabis, alcohol, or any or all of the above, using the attached checklist as a guide. Involvement in an injury or accident at work or while performing Zion-Benton Public Library business may also be grounds for testing if a member of management has a reasonable belief that drugs/alcohol may have contributed to the injury or accident. Employees will be required to sign the attached consent and release form prior to drug or alcohol testing. Test results will be kept confidential to the extent possible and consistent with applicable law.

Employees who refuse to cooperate in required tests, test positive for alcohol, cannabis, or illegal drugs, or use, possess, buy, sell, manufacture or dispense alcohol, cannabis, or illegal drugs in violation of this policy (as discussed above) will be terminated. In addition, if an employee fails to report immediately to the testing location upon request, comply with any testing procedures (including attempting to substitute, dilute, or otherwise change specimens to be tested) and/or fails to provide specimens unless medically incapable, he or she will be considered as refusing to test and subject to discipline, up to and including termination.

The laboratory conducting the tests shall transmit positive drug tests results to

a doctor ("MRO"), retained by the Zion-Benton Public Library, who shall offer persons with positive results a reasonable opportunity to establish that their results are caused by lawful prescribed medicines or other lawful substances. (A medical cannabis prescription or a claim that cannabis was used "off duty" is not a defense to a reasonable suspicion test). Persons with positive test results may also ask the MRO to have their split specimen sent to another federally certified lab, to be tested at the employee's or applicant's own expense. Such requests must be made within three (3) working days of notice of test results. If the second lab fails to find any evidence of drug use in the split specimen, the employee or applicant will be treated as passing the test.

Notification of Drug Conviction

Employees must notify the Zion-Benton Public Library of any criminal drug conviction no later than five days after such conviction. For purpose of this notice requirement, a conviction includes a finding of guilt, a no contest plea, and/or an imposition of sentence by any judicial body for any violation of a criminal statute involving the unlawful manufacture, distribution, sale, dispensation, possession or use of any controlled substance or cannabis. Failure to notify the Director of Human Resources may subject the employee to disciplinary action, up to and including dismissal.

Employee Assistance Program

The Zion-Benton Public Library will assist and support employees who voluntarily seek help for alcohol or drug problems *before* they become subject to disciplinary action under this or other Zion-Benton Public Library policies. Employees who seek such assistance will be allowed to use accrued paid time off, placed on leaves of absence, where available, referred to treatment providers or otherwise accommodated as required by law. Such employees may be required to document that they are successfully following prescribed treatment and required to take and pass follow-up tests.