

## CITY OF BIG BEAR LAKE

### DRUG/ALCOHOL-FREE WORKPLACE POLICY

#### Policy

The use of alcohol or drugs in connection with the operations of the City of Big Bear Lake are strictly prohibited, as it constitutes a threat to the safe, healthy work environment and the efficient performance of public service. Specifically, no one connected with the operation of the City shall:

- Report to work under the influence of alcohol or illegal drugs;
- Be under the influence of alcohol or illegal drugs while on standby;
- Possess alcohol or illegal drugs while on duty except as required in the course and scope of duty (safety personnel);
- Use alcohol or illegal drugs while on duty;
- Manufacture, sell, distribute or purchase alcohol or drugs while on duty;
- Use or be under the influence of a legally obtained prescription or over-the-counter drug while on duty or standby if that drug may affect the safety of the employee, coworkers, members of the public or the employee's job performance.

#### Application

The City will take preventive, corrective or disciplinary action, up to and including termination for any behavior that violates this policy. This policy applies to all elected officials, City Council appointed officials, managers, and employees of the City, including persons working under contract for the City. Additional rules and procedures applicable to safety-sensitive positions are covered under the City's Drug and Alcohol Testing Policy for Employees Operating Commercial Vehicles. While elected and City Council appointed officials are not subject to employee discipline under this policy, they are subject to other sanctions permitted by law.

#### Definitions

- ALCOHOL - means any alcoholic beverage as defined in California Business and Professional Code Sections 23003 and 23004.
- DRUG - means any drug, including, but not limited to illegal drugs, prescription medications, and/or over-the counter medications.
- REASONABLE SUSPICION - means good faith belief, based on facts or evidence that a person may be under the influence of alcohol or drugs.
- UNDER THE INFLUENCE - means that a drug or alcohol is present in the employee's system in any detectable amount that may impair the employee's ability to work safely and efficiently.

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**Procedure**

An employee believed to be under the influence of alcohol or drugs, or believed to be in possession of, or in the act of manufacturing, selling, distributing or purchasing illegal drugs or alcohol shall be prevented from engaging in further work by a Supervisor, Human Resource Manager or City Manager, and transported from the work site by an authorized City representative or law enforcement official.

An employee may be required to submit to a drug and/or alcohol test consisting of the compulsory production and submission of breath, urine, or blood by law enforcement officials, the City Physician, the Bear Valley Community Hospital, or other designated person or organization when his/her Supervisor, with the agreement of the Human Resource Manager, City Manager or designee, has reasonable suspicion that the employee is under the influence or has the presence of drugs or alcohol in his/her system while on duty. Any supervisor requesting an employee to submit to a drug and/or alcohol test shall document in writing the facts constituting reasonable suspicion.

Prior to the administration of a drug or alcohol test, the supervisor shall first obtain from the employee to be tested a completed, signed consent form. Said consent shall provide for the employee's release of the test results to the City. Refusal to sign the consent may be considered an insubordinate act, resulting in disciplinary proceedings up to and including termination.

Disciplinary action up to and including termination may be taken against an employee for positive test results from any drug and/or alcohol test or other conduct in violation of this policy. The City reserves the right to offer employees an approved rehabilitation or substance abuse assistance program and/or a last chance agreement in lieu of discipline.

Any employee who is convicted of a drug related crime occurring in the workplace shall report that conviction to their Supervisor, Human Resource Manager or City Manager within 5 days of that conviction. The City shall then report such knowledge to the applicable Federal contract agency within 10 days. While elected or appointed officials are not subject to the employee discipline process under this policy, they are subject to other sanctions permitted by law.

Applicants for employment who have been given a conditional offer of employment shall be required to submit to a drug and alcohol test as part of the pre-employment physical exam. A positive test result will allow the City to rescind the offer of employment.

**Dissemination of Policy**

All employees shall be sent copies of this Policy upon adoption. All new hires will receive a copy

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of this Policy as part of their orientation by the Human Resources Division. All employees shall sign that they have received and read this policy. This Policy will also be posted at all worksites and be sent to each City employee association.

**Training**

Employees will be offered, and may be required to attend educational sessions and workshops on the dangers of drug/alcohol abuse and smoking in the workplace. Furthermore, employees may be offered confidential referrals to any available substance abuse rehabilitation programs and/or smoking cessation programs. Supervisors shall be given training on recognition of symptoms of drug/alcohol abuse.

**CONTACT THE HUMAN RESOURCE DIVISION WITH ANY QUESTIONS OR  
REQUESTS FOR ASSISTANCE**

**ADOPTED BY CITY COUNCIL:**

Date: August 27, 2001