

Alcohol and Controlled Substance Workplace Policy

Statement of Philosophy: In accordance with the Federal Drug-Free Workplace Act and the North Dakota Workforce Safety and Insurance's Risk Management Program, it is the City of Kenmare's intent to establish a policy to maintain a safe and productive work environment for all employees by preventing accidents or other dangerous incidents that may result from drug or alcohol use.

Policy: The City of Kenmare has a zero tolerance policy for the use of drugs and alcohol by its employees. Employees may not possess or consume alcoholic beverages or controlled substances in City buildings, offices, vehicles, or while driving or doing business on behalf of the City. The unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited on any work site and during all working hours by employees. No employee will be allowed to perform job duties or official duties when ingesting mind altering drugs, illegal drugs and/or alcohol during working hours.

Testing Guidelines

1. Post-offer pre-employment testing for drugs and alcohol will be conducted on all employees performing safety-sensitive functions or those required to have a commercial driver's license (CDL). Random testing on these employees will be conducted in compliance with DOT regulations.
2. Testing for drugs or alcohol of any current employee will be conducted when a supervisor has reasonable suspicion an employee is violating policy.
3. Testing will be conducted on any employee involved in a motor vehicle accident using a City vehicle, or if using a personal vehicle driving for City business when City liability could be affected.
4. Employees requiring drug or alcohol testing because of motor vehicle accidents or determination of probable cause will be transported to and from the testing site by a supervisor or Department Head. Under no circumstances will the employee provide their own transportation.
5. Should the test results for drugs or alcohol be positive, a confirmation test will be conducted. Once the test is verified as positive, the employee may not return to work until directed by the City.
6. Any employee's refusal to be tested may be considered cause for dismissal.

If an employee receives a positive test, the employee will immediately be suspended pending an investigation. Pending completion of the investigation the City will take appropriate disciplinary action up to and including termination of employment.

Employees shall also be held responsible to notify the City of any criminal charge or conviction of drug and/or alcohol violations within five days of the incident. Failure to disclose this information will result in disciplinary action.

Employees who are on prescribed medication or prescribed controlled substances must disclose the effects of these drugs if they may compromise the ability to operate safety sensitive equipment or restrict alertness in the workplace. Medical certification will be required to verify that prescribed substances will not cause impairment.