



TOWN OF WINTHROP

DRUG AND ALCOHOL-FREE WORKPLACE POLICY

I. PURPOSE

This Policy outlines prohibited workplace conduct with respect to controlled substances (drugs) and alcohol. This Policy complies with the Town's obligations under the Federal Drug-Free Workplace Act, 41 U.S.C. § 8101, et seq.

II. APPLICATION

This Policy applies to all employees of the Town, excluding those employees under the supervision and control of the School Committee. Employees whose employment is governed by a collective bargaining agreement are subject only to those provisions of this Policy not specifically regulated by law or agreement.

III. POLICY

It is the Policy of the Town to provide employees with a working environment that is free of the problems associated with the use and abuse of alcohol and controlled substances. The use of controlled substances is inconsistent with the behavior expected of employees and subjects the Town to unacceptable risk of workplace accidents or other failures that would undermine the Town's ability to operate effectively and efficiently.

IV. PROCEDURES

- A. The non-prescriptive use, sale, possession, distribution, dispensation, manufacture, or transfer of controlled substances, including on-the-job consumption of alcohol, on Town property, or at any other worksite where employees may be assigned, or elsewhere during work hours, is strictly prohibited. Although the non-medical use of small amounts of marijuana has been decriminalized in the Commonwealth of Massachusetts, the use of marijuana on Town property or any other worksite where employees may be assigned remains strictly prohibited.
- B. Further prohibited is the use, sale, possession, distribution, dispensation, manufacture, or transfer of controlled substances on non-working time to the extent that such use impairs an employee's ability to perform his/her job or where such use, sale, possession, distribution, manufacture or transfer affects the reputation of the Town to the general public or otherwise threatens its integrity.

- C. Employees who are convicted of controlled substance-related violations in the workplace under state or federal law, or who plead guilty or *nolo contendere* to such charges, must inform their department head or appointing authority within five (5) days of such conviction or plea. Department heads or appointing authorities shall immediately notify the Town Manager.
- D. Employees who are convicted or who plead guilty or *nolo contendere* to such drug-related violations, or are found to have consumed alcohol while on-duty, may be required to successfully complete a drug abuse or similar program as a condition of continued employment or re-employment with the Town.
- E. All employees must sign a statement acknowledging that they have been informed of the rules and requirements of the Drug-Free Workplace Act.

V. EMPLOYEE ASSISTANCE PROGRAM

The Town recognizes drug and alcohol dependency as an illness and a major public health problem. The Town's objective is to prevent conviction for drug-related offenses prior to their occurrence. Employees who wish to obtain help in dealing with such problems are encouraged to contact the Human Resources Director or their healthcare provider for assistance. Conscientious efforts to seek such help will not jeopardize an employee's job, and will not be noted in any personnel record.

VI. SANCTIONS

Violations of any and all provisions of this Policy may result in disciplinary action, up to and including termination from employment.

DRUG AND ALCOHOL-FREE WORKPLACE POLICY

This acknowledges that I have received and reviewed the Town of Winthrop Drug and Alcohol-Free Workplace Policy (“Policy”). By signing this form, I agree to abide by the Policy and any Guidelines promulgated thereunder, and I agree to review periodically any changes or modifications.

I understand that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance or alcohol is prohibited on any property of the Town, or while performing official duties for the Town, and violation of this Policy can subject me to disciplinary action, up to and including termination. I further understand that as a condition of employment, I must abide by the terms of this Policy and will notify my employer of any criminal drug conviction for a violation occurring in the workplace no later than five days after such conviction.

I recognize that the law and associated Policy regarding drugs and alcohol in the workplace are continually evolving. Therefore, I understand that my regular review of this Policy, as it may be amended, is required.

Print Name: _____

Signature: _____

Date: _____

To be included in employee’s personnel file.