

DUBUQUE COUNTY
SUBSTANCE ABUSE PREVENTION PROGRAM
FOR ALL COUNTY EMPLOYEES

SECTION 1. PURPOSE AND CONSTRUCTION

The policy describes Dubuque County's Substance Abuse Prevention Program for all County personnel. The purpose of the program is to establish policy and procedure to ensure a Drug Free Workplace, as required in the Federal Drug-Free Workplace Act of 1988. The act provides that Dubuque County provide drug-free environment where persons are free from the effects of drugs and alcohol. Drug and Alcohol abuse in the workplace interferes with and reduces the operational efficiency of County government and undermines the public's trust in its functions.

SECTION 2. APPLICABILITY

The policy applies to all employees of Dubuque County. Compliance with the terms and reporting requirements of this policy is required as a condition of employment for all employees.

SECTION 3. POLICY

1. Employees are expected and required to report for work on time and in appropriate mental and physical condition for work.
2. The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance in the workplace or while conducting County business away from the workplace is absolutely prohibited. A controlled substance is defined as a drug, substance, or immediate precursor as listed in Chapter 204 of the Code of Iowa.

Under no circumstances shall a County employee covered by this policy consume a controlled substance or alcoholic beverage prior to reporting to work, during work breaks or during the meal period when the employee will be or can reasonably expect to be back on the job or at his/her workstation immediately following the work break or meal period.

Park Rangers and the Sunnycrest Administrator residing on the County's premises may consider their residences as their homes and the prohibition of alcohol in not applicable to them outside normal working hours.

3. The only exception to this policy shall be when taking a prescribed dosage of a chemical substance while under the care of a physician. However, using a prescribed medication may impair the physical or mental capabilities of the employee. Employees who are on a physician's prescribed medication which may impair their physical or mental capabilities shall notify their supervisor they are taking such medication. The prescribing physician should be consulted by the employee about whether he/she should advise his/her supervisor of the prescription. Medical information shall be held confidential.
4. Violation of this policy will result in disciplinary action, as provided in bargaining unit contracts, personnel policy and the Code of Iowa.

SECTION 4. EMPLOYEES IDENTIFIED AS NEEDING ASSISTANCE

The County recognizes drug dependency as an illness and a major health problem. The County also recognizes drug abuse as a potential health, safety and security problem. Employees needing help in dealing with those problems are encouraged to contact agencies that provide assistance and treatment for drug and alcohol dependency, such as Turning Point Treatment Center 589-8925, or Substance Abuse Services Center, 582-3784. Employees may also utilize their health insurance plans and sick days as appropriate.

Conscientious efforts to seek help will not jeopardize an employee's job and will not be noted in their personnel files. However, a record will be kept in the Personnel Department of any disciplinary actions which result from abuse of drugs and alcohol as provided in the appropriate union contract or personnel policy.

SECTION 5. REPORT OF CONVICTIONS

Employees are required to report any convictions under a criminal drug statute for violations occurring on or off the Dubuque County premises while conducting Dubuque County business. The Drug-Free Workplace Act of 1988 mandates a report of conviction must be made within five (5) days after conviction. Notification to the Federal contracting or granting agency of any criminal conviction of employees for illegal drug activity in the workplace must be provided within ten (10) days of learning of the conviction.

This requirement is mandated the Federal Drug Free Workplace Act of 1988.

SECTION 6. DRUG TESTING

1. Dubuque County Does not require or request employees other than employees to which Commercial Driver License Regulations apply and prospective Deputy Sheriffs to submit to a drug test as a condition of employment, pre-employment or promotion, or change in status of employment, unless the employee is changing to a status where a Commercial Driver License is required, or to status of Deputy Sheriff.
2. Dubuque County will not conduct random or blanket drug testing of employees, except those to which the Commercial Driver License Regulations apply.
3. Dubuque County may require a specific employee to submit to a drug test if all of the following conditions are met:
 - a. The County has probable cause to believe that an employee's faculties are impaired on the job.
 - b. The County is in a position where such impairment presents a danger to the safety of the employee, another employee a member of the public, or the property of the employer, or when impairment due to the effects of a controlled substance is a violation of a known rule of the County or a collective bargaining agreement.
 - c. The test sample withdrawn from the employee is analyzed by a laboratory or testing facility that has been approved under rules adopted by the Department of Public Health.
 - d. If the test is conducted and the results indicate that the employee is under the influence of alcohol or a controlled substance or indicate the presence of alcohol or a controlled substance, a second test using an alternative method of analysis shall be conducted. When possible and practical, the second test shall use a portion of the same test sample withdrawn from the employee for use in the first test.
 - e. An employee shall be accorded a reasonable opportunity to rebut or explain the results of the test.
 - f. The County will provide substance abuse evaluation and treatment if recommended by the evaluation as provided by employee health insurance the first time an employee's drug test indicates the presence of alcohol or a controlled substance.

The County will take no disciplinary action against an employee due to the employee's drug involvement the first time the employee's drug test indicates the presence of alcohol or a controlled substance, if the

employee successfully completes substance abuse treatment, of treatment is recommended by the evaluation.

However, if an employee fails to undergo substance abuse evaluation when required under the results of a drug test or fails to successfully complete substance abuse treatment when recommended by an evaluation, the employee may be disciplined up to and including discharge. The substance abuse evaluation and treatment provided by the County shall take place under a program approved by the Department of Public Health or accredited by the Joint Commission on Accreditation of Hospitals.

4. In conduction those tests designed to identify the presence of chemical substance in the body, the County shall ensure to the extent feasible that the tests only measure and that the records of the tests only show or make use of information regarding chemical substances in the body which are likely to affect the ability of the employee to preform safely the employee's duties while on the job.
5. The County shall protect the confidentiality of the results of any drug test conducted on an employee. The results of any drug test shall be kept in a locked file in the County Personnel Department separate form the employee's personnel file.

Any disciplinary action taken against the employee arising out of the use of a controlled substance or alcohol will be expunged from the employee's personnel file if the employee has successfully completed treatment for substance abuse when the employee leaves employment.