


RESOLUTION 95-04

A RESOLUTION ADOPTING A POLICY FOR PROVIDING  
A DRUG FREE WORK-PLACE FOR THE CITY OF BELLE  
MEADE.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners  
of the City of Belle Meade that the attached policy regarding a  
drug free work-place for employees and prospective employees of  
the City of Belle Meade is hereby adopted.

Copy of this Resolution shall be provided each employee and  
prospective employee of the City of Belle Meade, and agreement to  
its terms shall be a condition of initial or continued  
employment.

Adopted this 15th day of March, 1995.



\_\_\_\_\_  
Mayor T. Scott Fillebrown



\_\_\_\_\_  
City Recorder Beth Reardon

I acknowledge receiving a copy of the above Resolution,  
including its attached Policy for a drug free work-place. I am  
familiar with and agree to comply with the provisions of this  
policy.

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name (print legibly)

CITY OF BELLE MEADE  
POLICY FOR A DRUG FREE WORK-PLACE

I. PURPOSE

The City of Belle Meade has a strong commitment to provide a safe work-place and to establish high standards of employee health and safety. The purpose of this procedure is to set forth general guidelines to be followed in implementing the City of Belle Meade's policy regarding drug and alcohol use.

This policy applies to all employees; however exceptions will be made to accommodate employees while they are officially involved in an undercover operation.

II. CITY POLICY

A. ILLEGAL DRUGS

1. The possession, sale, or use of illegal drugs (defined as any drug or drug-like substance whose sale, use, misuse or possession is unlawful) is inconsistent with the City's objective of operating in a safe and efficient manner. Accordingly, no employee shall have in his or her possession illegal drugs on City property, in a City owned, or rented, or private vehicle while the private vehicle is being used for City business, or at City sponsored activities, unless this involves lawful confiscation, training or demonstration of an illegal drug by a police officer. Violation of these provisions may result in dismissal. Additionally, employees shall not use illegal substances or misuse prescription or over the counter medication and report to work.
2. A court conviction of a City employee for the use or sale of illegal drugs will constitute grounds for dismissal.

B. ALCOHOLIC BEVERAGES

1. No employee shall consume or possess alcoholic beverages on City property, or in a City owned or rented vehicle, or private vehicle while the private vehicle is being used for City business, unless possession involves confiscation of alcohol by a Police Officer.
2. The consumption of alcoholic beverages during working hours, lunch breaks, or relief periods is

prohibited. Additionally, employees shall not misuse alcohol prior to reporting to work.

3. Employees violating or suspected of violating these guidelines are subject to medical evaluation and possible dismissal.

### III. DRUG SCREENING: PRE-EMPLOYMENT

Drug screening is part of the required pre-employment health evaluation process for all new personnel. No prospective employee will be hired without passing the drug evaluation. Specimen falsification will be grounds for permanent disqualification from further consideration.

### IV. POST-ACCIDENT HEALTH EVALUATION

#### A. DESCRIPTION

As part of the investigation of an accident resulting in injury or property damage, management may request that a post-accident health evaluation be conducted on any or all employees involved in the accident. Drug screening may be part of this evaluation. An evaluation for alcohol use may also be completed.

#### B. PROCEDURE (IF TEST REQUIRED)

1. When an accident occurs that results in an injury or property damage any employee involved in the accident who is required to test shall report to a medical facility as soon as practical, preferably immediately. The City Manager shall be notified of any testing and a Purchase Order issued as soon as possible.
2. An employee whose test results from both initial and confirming tests are positive is subject to dismissal.
3. An employee who refuses to comply with a drug screen request as part of the post-accident health evaluation is subject to dismissal.

### V. SUPERVISOR'S REQUEST FOR MEDICAL REVIEW

- A. DESCRIPTION - Whenever a supervisor reasonably suspects that an employee may be under the influence of drugs or alcohol, he may request of the City Manager that a medical review be initiated. The City Manager shall then arrange for such testing as soon as possible.

## B. PROCEDURE

1. Once the supervisor decides action must be taken, he will locate another supervisor or one of his superiors to act as a witness and confirm the grounds for reasonable suspicion.
2. If both supervisors agree that a test is warranted, the employee will proceed to the medical facility for testing. Whenever possible, the employee to be tested will be accompanied by a management employee.
3. The supervisor, his supervisor, and the City Manager will meet as soon as practical to discuss observations and document the incident. All documentation shall be immediately forwarded to the City Manager to be kept in a confidential file.
4. When positive test results occur, the employee is subject to dismissal.

## VI. CRIMINAL ACTIVITY INVOLVING ILLEGAL DRUGS

- A. DESCRIPTION - If an employee is arrested for illegal involvement with drugs, but is not dismissed as permitted under Section II A. Paragraph 2., the employee may be required to complete a drug screen after the City learns of the arrest.
- B. PROCEDURE - The same procedure as set forth in Post-accident evaluation, Section IV., will apply. Any employee who is arrested for violations of criminal drug activity must notify the City within five days after receiving notice of the arrest. A failure to give the required notice will be grounds for dismissal.

## VII. FALSIFICATION

Specimen falsification by an active employee or during the pre-employment drug screen will be grounds for dismissal.

## VIII. REHABILITATION

Any employee who, prior to a mandated test for drugs or alcohol use, voluntarily approaches his supervisor seeking help for a drug problem shall be deemed a "Self-Referral". Self-Referrals will be provided assistance, and a drug or alcohol referral service will be recommended. Referral services are available to protect and assist the employee

and the employee's fellow workers and are not a substitute for disciplinary action should the need arise.

#### IX. RE-EMPLOYMENT

The purpose of this policy is not to punish individuals, but to insure a drug-free workplace. In keeping with this objective, the City will consider application for re-employment from individuals who have been discharged under this policy if the following conditions are met:

1. The individual has shown to be drug and/or alcohol free for a period of at least two months.
2. The individual is determined to have been, at the sole discretion of management, an above-average employee in terms of work performance, attendance, punctuality, and safety.
3. A position commensurate with the individual's skills, experience and training is available.
4. The individual has executed a probationary employment agreement as produced by management from time to time.

This re-employment policy is intended to allow a mechanism for the possible re-employment of former employees determined by management to be especially deserving and in compliance with all of the above conditions. It is expressly not incumbent upon management to employ individuals who have been previously discharged from the City.

#### X. CONFIDENTIALITY

As with all health evaluation information, the City of Belle Meade will keep confidential all testing and treatment information. Disclosure of test results outside of City Management will be prohibited.

#### XI. POSITIVE TEST RESULTS SUBJECT TO A SECOND CONFIRMING TEST

1. Positive drug and/or alcohol tests will be confirmed by a second test using a different chemical principle which is specific for the suspected substance.
2. It shall be performed on a second portion of the original specimen.

XII. PUBLIC SAFETY EMPLOYEES (More Restrictive Provisions)

The Police Department may adopt more stringent policies as approved by the Department Head and for Commissioned Officers and Communication Officers.

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