

WESTERN KANE COUNTY SPECIAL SERVICE DISTRICT NO. 1

DRUG AND ALCOHOL POLICY

The Western Kane County Special Service District (District) desires to provide a drug-free, healthful, and safe workplace. To promote this goal, employees are required to report to work in appropriate mental and physical condition to perform their jobs in a satisfactory manner.

Definitions:

A. Substances of Abuse: Alcohol, any and all tobacco product including but not limited to cigarettes, chewing tobacco and all forms of electronic cigarettes or other devices that deliver nicotine, all controlled substances as scheduled in Utah Code 58-37-4 and 4.2 unless possessed or used under a legal and valid prescription, and marijuana unless possessed and used in accordance with the Utah Medical Cannabis Act and other relevant portions of Utah Law.

B. District Property or District-Owned Property: all real and personal property owned, maintained, controlled, or leased by the District.

C. District Facilities or District-Owned Facilities: all buildings or other structures whether or not enclosed that are owned, maintained, controlled, or leased by the District.

D. District Equipment or District-Owned Equipment: any item or thing owned, maintained, controlled, or leased by the District or any of its departments or offices that is not real property, including but not limited to: vehicles, tools, fuel, tables, chairs, computers, cell phones, other electronic devices, clothing, office supplies, or internet access.

E. District funds: any money or other item of value owned, maintained, controlled, or managed by the District or any money appropriated, received, or disbursed through the District budget process or by using any District fund or District bank account.

This policy covers any and all activities conducted in or on District owned or operated facilities, property, or equipment and shall govern specifically all District employees.

The District has partnered with a local drug and alcohol testing provider to conduct employee drug and alcohol testing. Employees may be selected for testing on a random basis. The District will conduct random drug testing on a quarterly basis and random alcohol testing on an annual basis. In addition, CDL employees may be subject to specific DOT testing requirements which can differ from the general District random-testing program.

Employees selected for testing will be notified and shall comply with the testing requirements and procedures established by the District and its testing provider.

Testing may be conducted in accordance with applicable federal and state laws and regulations. Employees who refuse to submit to a required test, fail to comply with the testing procedures, or receive a positive test result may be subject to disciplinary action, up to and including termination of employment, consistent with applicable law and District policy.

No District employee shall use or possess any substance of abuse within the scope of their employment. No District employee shall use or possess any substance of abuse while using or operating any District-owned equipment or while located in or on any District facilities or property. No District employee shall engage in any activity during the scope of their employment that in any way advertises, promotes, or distributes substances of abuse.

No person shall use or possess any substance of abuse on or in any District-owned facility, property, or equipment. The only exception is for employees who, due to the circumstances of their job duties, cannot access a personal vehicle or other location where they may have a tobacco product stored to be able to use during a break. Under these circumstances the employee may possess the tobacco product but may only use it during a break, off of District property including vehicles and equipment.

Nothing in this policy shall be deemed to restrict the lawful possession and use of properly administered prescription drugs, including medical cannabis, that are used and possessed in the manner that they are prescribed. However, any employee that is lawfully using a prescription drug or medical cannabis shall not report to work impaired by the substance and shall be asked to leave work and not return until the employee is no longer impaired. For employees that have additional restrictions on their position due to federal or state law such as CDL holders that do not allow the use and/or possession of prescription drugs and/or medical cannabis, the employee may not use or possess those substances in accordance with the specific restrictions placed on their position.

Violations of this policy may lead to disciplinary action, up to and including immediate termination of employment, and/or required participation in a substance abuse rehabilitation or treatment program. Such violations may also have legal consequences.

Employees with drug or alcohol problems that have not resulted in, and are not the immediate subject of, disciplinary action may request approval to take unpaid time off to participate in a rehabilitation or treatment program through the District's health insurance benefit coverage. Leave may be granted if the employee agrees to abstain from use of the problem substance; abides by all the District's policies, rules, and prohibitions relating to conduct in the workplace; and if granting the leave will not cause the District any undue hardship.

Employees with questions or concerns about substance dependency or abuse are encouraged to discuss these matters with their supervisor to receive assistance or referrals to appropriate resources in the community.

Employees with questions on this policy or issues related to drug or alcohol use in the workplace should raise their concerns with their supervisor or members of the governing Board without fear of reprisal.