



Peoria Police Department

Policy Manual

Drug- and Alcohol-Free Workplace

1012.1 PURPOSE AND SCOPE

The purpose of this policy is to establish clear and uniform guidelines regarding drugs and alcohol in the workplace.

1012.1.1 ALCOHOL/SUBSTANCE ABUSE

Employees, on or off-duty, will not intentionally abuse any controlled substance or legal substance that would impair them to such a state that would discredit the Peoria Police Department. (26.1.1)

Employees on or off-duty should recognize that excessive consumption of alcohol resulting in disorderly conduct or driving while intoxicated violates State and local law.

1012.2 POLICY

It is the policy of this department to provide a drug- and alcohol-free workplace for all employees.

1012.2.3 DRIVING UNDER THE INFLUENCE (DUI)

Employees will not operate any vehicle while under the influence.

If arrested for DUI by any law enforcement agency, employees will notify their supervisor immediately.

An administrative investigation will be conducted along with any criminal investigation.

1012.3 GENERAL GUIDELINES

Alcohol and drug use in the workplace or on department time can endanger the health and safety of department members and the public. Such use shall not be tolerated.

Employees who have consumed an amount of an alcoholic beverage or taken any medication, or combination thereof, that would tend to adversely affect their mental or physical abilities shall not report for duty. The affected employee shall notify the Patrol Lieutenant or appropriate supervisor as soon as the employee is aware that he/she will not be able to report to work. If the employee is unable to make the notification, every effort should be made to have a representative contact the supervisor in a timely manner. If the employee is adversely affected while on-duty, he/she shall be immediately removed and released from work (see Work Restrictions in this policy).

1012.3.1 USE OF MEDICATIONS

Department employees should avoid taking any medications that will impair their ability to safely and completely perform their duties. Any employee who is medically required or has a need to take any such medication shall report that need to his/her immediate supervisor prior to commencing any on-duty status.

No employee shall be permitted to work on or drive a Department-owned or-leased vehicle while taking such potentially impairing medication without a written release from his/her physician.

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Possession of medical marijuana or being under the influence of marijuana on- or off-duty is prohibited and may lead to disciplinary action.

1012.4 EMPLOYEE RESPONSIBILITIES

Employees shall report for work in an appropriate mental and physical condition. Employees are prohibited from purchasing, manufacturing, distributing, dispensing, possessing or using controlled substances or alcohol on department premises or on department time. The lawful possession or use of prescribed medications or over-the-counter remedies is excluded from this prohibition.

1012.5 EMPLOYEE ASSISTANCE PROGRAM

The City provides a voluntary employee assistance program to assist employees who wish to seek help for alcohol and drug problems. Insurance coverage that provides treatment for drug and alcohol abuse may also be available. Employees may contact the Human Resources Department, their insurance provider or the Employee Assistance Program for additional information.

It is the responsibility of each employee to seek assistance before alcohol or drug problems lead to performance problems.

1012.6 WORK RESTRICTIONS

Employees will not report to duty while impaired to any degree by the use of alcohol or with a blood alcohol content greater than .000. (26.1.1)

If an employee informs a supervisor that he/she has consumed any alcohol, drug or medication that could interfere with the safe and efficient performance of his/her duties, the employee will be required to obtain clearance from his/her physician before he/she returns to work. However, the employee will still be prohibited from operating a City vehicle while under the influence.

If a supervisor reasonably believes, based upon objective facts, that an employee's ability to perform his/her duties safely and efficiently may be impaired by the consumption of alcohol or drugs, the supervisor shall prevent the employee from continuing work and shall ensure that he/she is safely transported away from the Department.

1012.7 REASONABLE SUSPICION SCREENING TESTS

The supervisor may request an employee or prospective employee to submit to a screening test under any of the following circumstances (ARS § 23-493.04):

- The supervisor determines there is a reasonable suspicion that an employee may be affected by the use of drugs or alcohol and that such use may adversely affect the job performance or the work environment.
- The supervisor determines there is reasonable suspicion that an employee is currently impaired or exhibiting objective symptoms of intoxication or drug influence while on duty.
- When it is performed as part of a drug or alcohol testing program based on a random or chance basis.

As a condition of employment to prospective employees

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Generally, testing of employees shall occur during, or immediately before or after, a regular work period. The testing, and travel time if required, will be deemed work time for the purpose of compensation for all paid employees (ARS § 23-493.02).

1012.7.1 SUPERVISOR RESPONSIBILITY

The supervisor shall prepare a written record documenting the specific facts that led to the decision to request the test, and shall inform the employee in writing of the following:

- The test will be given to detect either alcohol or drugs, or both.
- The result of the test is not admissible in any criminal proceeding against the employee.
- The employee may refuse the test, but refusal may result in dismissal or other disciplinary action.

1012.7.2 SCREENING TEST REFUSAL

An employee may be subject to rehabilitative or disciplinary action if he/she:

- Fails or refuses to submit to a screening test as requested.
- After taking a screening test that indicates the presence of a controlled substance, fails to provide proof to the medical review officer (MRO), within 72 hours after being requested, that he/she took the controlled substance as directed, pursuant to a current and lawful prescription issued in his/her name.
- Violates any provisions of this policy or Personnel Administrative Regulation 2 Drug and Alcohol Free Workplace.

1012.7.3 DISCIPLINARY ACTION

Rehabilitative or disciplinary action may include (ARS § 23-493.05):

- Enrollment in a rehabilitation, treatment or counseling program, which may include additional drug testing and alcohol impairment testing that has been provided or approved by the Department. Participation in the program may be a condition or continued employment. The cost may or may not be covered by any available health plan or policy.
- Suspension of the employee, with or without pay, for a designated period.
- Termination of employment.

1012.7.4 SCREENING TEST REQUIREMENTS

All screening tests for drugs or alcohol shall comply with the standards set forth in ARS § 23-493.03.

1012.7.5 SUBSTANCES FOR WHICH TESTING MAY BE REQUIRED

The Department may test for any substance considered unlawful under state or federal controlled substance schedules, including prescription drugs or over-the-counter compounds (ARS § 23-493.04(A)(4); ARS § 23-493(3)).

1012.7.6 EMPLOYEE RESPONSIBILITY

Upon notification, the employee shall report immediately to a vendor authorized by the department for screening. If the employee is unable to report immediately because of conflicting responsibilities, he/she shall notify his/her supervisor and report as soon as possible after the conflict is resolved.

The employee shall present picture identification and the written directive to the vendor. The employee shall obtain signed written verification from the vendor's agent indicating the date and time the employee arrived for testing and that a sample has been provided. The employee shall return the signed verification to his/her supervisor as soon as practicable after returning to work.

Employees shall follow the vendor's procedures and instructions regarding the collection and security of the specimen.

1012. 7.7 SCREENING TEST RESULTS

The Human Resources Benefit Administrator will obtain testing results of the collection of the specimen. The employee may obtain written test results by contacting the Human Resources Benefit Administrator.

Results that tested positive in both the initial and the confirmatory tests shall be forwarded to the Chief of Police. Test results will not be used in criminal proceedings.

Employees have the right to have a positive test result explained in a confidential setting (ARS § 23-493.04(A)).

1012.8 COMPLIANCE WITH THE DRUG-FREE WORKPLACE ACT

No later than 30 days following notice of any drug statute conviction for a violation occurring in the workplace involving an employee, the Department will take appropriate disciplinary action, up to and including dismissal, and/or requiring the employee to satisfactorily participate in a drug abuse assistance or rehabilitation program (41 USC § 8104).

1012.9 CONFIDENTIALITY

The Department recognizes the confidentiality and privacy due to its employees and disclosure of any information relating to substance abuse treatment, except on a need to know basis, shall only be with the express written consent of the employee involved or pursuant to lawful process. The written results of any screening test and all documents generated by the employee assistance program are considered confidential medical records and may be provided to the employee but will remain confidential and separate from the employee's other personnel files (ARS § 23-493.04(A)(8) and ARS § 23-493.09).