

# MENNONITE VILLAGE POLICY & PROCEDURE

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TITLE: Alcohol and Drug Abuse Policy

PROCEDURE NO: HR 700.04

REPLACES: PL.04, Board Policy 401

PAGE(S): 3

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## PURPOSE:

Employees are the most valuable resource of Mennonite Village and their health and safety is therefore a serious concern. Mennonite Village will not tolerate any drug or alcohol use that imperils the health and well being of its employees or residents.

Employees have the right to work in an alcohol and drug free environment and to work with persons free from the effects of alcohol and drugs. Employees who abuse alcohol or drugs are a danger to themselves, other employees and our residents. Employees who use illegal drugs or abuse other controlled substances or alcohol, on or off duty, tend to be less productive, less reliable, and prone to greater absenteeism. This places a greater burden on other employees and increases the costs of providing service.

Mennonite Village is therefore committed to maintaining a safe and healthy workplace free from the influence of drugs and alcohol. In addition, Mennonite Village will comply with the requirements of the Drug-Free Workplace Act of 1988.

## POLICY:

### Substance Abuse and Treatment

Mennonite Village recognizes that substance abuse is a medical problem that may be successfully treated. Employees are encouraged to seek voluntary alcohol and drug abuse treatment.

### Use of Prescription Drugs

This policy also applies to prescription drugs, not used in accordance with the healthcare provider's instructions, or prescriptions authorized for other individuals.

Employees taking any substance, including over the counter medication and prescriptions that includes a warning label (dizziness, drowsiness, or any other impairments) must discuss the use of the medicine with their doctor in light of the requirements of their job and also disclose to the Human Resources Director or representative that you are using a medicine with a warning label. You do not need to disclose the name of the medicine you are taking or the reason for using the medicine. If the HR Director or representative is not available, you must report it to your supervisor or manager. It is your responsibility to confer with your physician to determine whether any prescribed drug or other medication or substance may impair job performance. Employees are also required to provide a medical authorization to work, upon request. If the use of your prescription impairs your ability to safely perform your job, the company may, but is not required to transfer you to another position which would limit the danger to yourself or others, or place you on medical leave.

### Arrest or Conviction under Criminal Drug Statute

Employees must notify their immediate supervisor within 5 days of any arrest or conviction of a criminal drug statute.

### Behavior Prohibited by this Policy

1. Use, possession, manufacture, distribution, dispensation, or sale of illegal drugs or drug paraphernalia on company premises, while conducting company business, in company vehicles, or during working hours.
2. Unauthorized use, possession, manufacture, distribution, dispensation, or sale of a controlled substance on company premises, while conducting company business, in company vehicles, or during working hours.
3. Unauthorized use, possession, manufacture, distribution, dispensation, or sale of alcohol on company premises, while conducting company business, in company vehicles, or during working hours.
4. Storing in a locker, desk, automobile, or other repository on company premises any illegal drug, drug paraphernalia, any controlled substance whose use is unauthorized, or any alcohol.
5. Being under the influence of any unauthorized controlled substance, illegal drug, or alcohol on company premises, while conducting company business, in company vehicles, or during working hours.
6. Use of alcohol off company premises that adversely affects the employee's work performance, the safety of others at work, or the company's regard or reputation in the community.
7. Possession, use, manufacture, distribution, dispensation or sale of illegal drugs off company premises that adversely affects the employee's work performance, his/her work safety, the safety of others at work, or the company's regard or reputation in the community.
8. Switching or adulterating any urine sample submitted for testing or failing to comply with procedures of the drug-testing contractor.
9. Refusing to consent to testing or to submit a urine or blood sample for testing when requested by management.
10. Refusing to submit to an inspection when requested by management.
11. Failure to adhere to the requirements of any drug or alcohol treatment or counseling program in which the employee is enrolled.
12. Conviction under any criminal drug statute for a violation occurring in the workplace.
13. Arrest or conviction under any criminal drug statute under circumstances that adversely affect the company's regard or reputation in the community.
14. Failure to notify the company of any arrest or conviction under any criminal drug statute within 5 days of the arrest or conviction.
15. Failure to report to his/her immediate supervisor the use of a prescribed drug which may make the employee a danger to himself or herself or others in performing the essential functions of his or her position.
16. Failure to keep a prescribed medication in its original container.
17. Refusing to sign a statement agreeing to abide by the company's Alcohol and Drug Abuse Policy.

### Testing

Employees working in IHC or having a CDL as part of their employment will need to successfully pass a pre-employment drug screen once a job offer has been accepted and prior to being placed on assignment.

Whenever Mennonite Village suspects that an employee's work performance or on-the-job behavior is being affected by drugs or alcohol, or that an employee has otherwise violated this policy, the company may require the employee to submit to a urine and/or breath test for alcohol and drugs.

If an employee has an on-the-job injury or accident while operating heavy equipment or a motorized vehicle, he/ she must submit to a drug and alcohol test in a timely manner. This policy also applies to marijuana when testing for reasonable suspicion and in the event of an on-the-job injury as indicated above. While its use may be authorized under state laws, marijuana is illegal under federal law and therefore is considered an illegal and/or unauthorized controlled substance for purposes of this policy. Accordingly, having any detectable level of marijuana in your system while working is prohibited and will result in a violation of this policy, even if lawfully used outside of work.

In addition, Mennonite Village may conduct random drug and alcohol tests. An independent program administrator will select employees at random for testing. All employee names will be included in the pool. Mennonite Village also reserves the right to conduct unannounced blanket drug tests for a group of employees within a set of parameters defined by management.

A medical review officer will contact individuals who have a positive test to inquire about prescription drug usage.

The independent program administrator will report drug test results to the Human Resource Director. These results will be kept confidential and shared only on a need-to-know basis. The results will not be kept in employee personnel files.

If an employee feels that his/her drug test was positive in error, the employee may have the sample re-tested at his/her own expense.

#### Inspections

Mennonite Village wishes to ensure that drugs and alcohol are not brought onto the premises. If Mennonite Village suspects that an employee's work performance is affected by drug or alcohol use or that the employee is selling or purchasing drugs on company property, the company may search an employee's locker, desk, or other company property under control of the employee, as well as the employee's personal effects or automobile on company property.

#### Disciplinary Action

Employees who violate the provisions of this policy may be subject to disciplinary action, up to and including termination of employment for the first offense. Employees who test positive for drug or alcohol use and who have completed at least 120 days of employment may be offered a "last chance" agreement. Under a last chance agreement, the employee must agree to the following: enter drug or alcohol treatment; follow all treatment recommendations; be subject to unannounced testing for a 24-month period; and meet all established work performance standards. The employee must have a negative drug test in order to return to work. Any failure to comply with the last chance agreement or any positive drug/alcohol test during or following treatment will lead to immediate termination of employment.

#### Condition of Employment

Compliance with this policy is a condition of employment. Failure or refusal of an employee to cooperate fully, sign any required document, submit to any inspection or test, or follow any prescribed course of substance abuse treatment will be grounds for termination.

### **Alcohol and Drug Abuse Policy**

I have received a copy of Mennonite Village Alcohol and Drug Abuse policy. I agree to comply with this policy. I understand that I may be required to submit to a drug and/or alcohol test. I understand that any lack of compliance with the policy or testing could lead to the termination of my employment.