

02. PERSONNEL

2.18. Drugs and Alcohol

BOS Adopted – Jul 1, 2004

Employees of the Sheriff's Office are excluded from this section of the policy and should refer to the Sheriff's Office policy regarding Drugs and Alcohol.

2.18.1. General Overview. Employees of the County shall not be involved with the unlawful application, possession, market, or transfer of drugs in any manner. County employees shall not possess any types of alcohol on County premises, or ingest alcohol in association with their job or during work schedules. Off the job, prohibited drug activities or alcohol abuse that could adversely affect an employee's job performance, or that could pose a hazard to the safety of other County employees, that general public, County machinery, or the County's relation with the public, will not be permitted.

2.18.2. Therapy for Drug or Alcohol Use. The County regards alcoholism and other drug addictions to be treatable disorders. Thus, employees who suffer from alcohol or drug abuse, shall be encouraged to participate in appropriate treatment programs.

2.18.3. Consequences for Drug or Alcohol Abuse

A. The use, marketing, or personal possession of illegal drugs while on the job, during rest periods, meal periods, or on County property, will be considered a dischargeable offense and may result in criminal prosecution. Any narcotics discovered will be turned over to the proper law enforcement agencies.

B. The consumption or personal possession of alcohol during scheduled work times or on County property is a dischargeable violation. For all County employees, alcohol consumption is prohibited during the work day, including during rest periods and meal periods. Any employee who is perceived to be under the influence of alcohol will be immediately removed from service and administered an alcohol test.

C. County Administration will take subsequent action in those cases which demonstrate alcohol or drug abuse. Such action shall include: referral to a drug or alcohol treatment program, disciplinary action, or administrative counseling. Any action will be on the basis of the medical information, past history, and/or pertinent factors.

D. Off the job selling, distributing or manufacturing of illegal drugs by an employee shall be viewed as a dischargeable offense.

2.18.4. Special Action

A. The County will take whatever measures are necessary to determine whether alcohol or illegal drugs are located on or are being used on County property. These actions will not be

taken unreasonably, but when the County has substantial evidence which has been completely verified and validated, then measures must be approved by the County Administrator or his assistant. However, the one exception is in those circumstances where time is crucial to the success of the search.

B. Inspections of County property, facilities, or equipment may be managed by certified personnel. Federal, state, or local authorities may be called upon to assist in an investigation in those cases where management determines it is necessary.

C. Searches of people and personal property located on County premises may be conducted by authorized personnel and resistance to submit to a search (after the purpose of the search and the potential implications of refusing to be searched have been explained) will result in immediate removal from service and may result in a discharge.

2.18.5. Drug and Alcohol Testing. Drug and/or alcohol tests shall be conducted when an employee's supervisor has cause to believe that the County employee is unfit for duty and when there is reason to suspect the use and possession of illegal drugs. An employee suspected of being under the influence of alcohol shall be escorted to the Sheriff's Office by his Department Head for a Preliminary Breath Test (or PBT analysis). An employee suspected of being under the influence of drugs shall be escorted to FirstMed (Pantops, Charlottesville, VA) or PromptCare (Seminole Trail, Charlottesville, VA) for a urine test. After approval of the County Administrator or his immediate assistant, all employees within a work group may be tested for drugs when there is a change in group behavior, a high rate of accidents or injuries, reliable information about illegal drug involvement, and/or reason to suspect the use of illegal drugs within the group.

2.18.6. Consequences of Positive Drug or Alcohol Test. When a drug screen is positive for the first time, but no evidence of prior drug use on the job exists, a County employee will be suspended without pay. The employee shall be required to seek treatment from a recognized professional and/or institution, whose goal is to provide treatment in such situations. Refusal to do so will be viewed as uncooperative and the employee will then be subject to discharge. At the end of six weeks, the screen test will be administered again, and if negative, the County employee will be allowed to return to work. However, in those situations where the employee cannot return to work because he or she is involved in participation in a treatment program, the suspension period will be extended.

2.18.7. Repeated Drug or Alcohol Abuse. In those cases where a County employee is found to have evidence of drug or alcohol use during working hours on a second occasion, or is found to be engaging in manufacture or distribution of illegal drugs, the employee's service will be terminated immediately. The County is obligated to its employees and its citizens to ensure that all of its employees act in a lawful, sane and efficient manner at all times and will tolerate no such misconduct.