

## ADMINISTRATIVE POLICY AND PROCEDURE # 42-A

Date Issued: March 9, 1990

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

Date Revised: March 5, 1997

Reaffirmation Date: Sept. 1, 2011

### SUBJECT: DRUG-FREE WORKPLACE

#### I. ADMINISTRATIVE POLICY

In accordance with previously established City policy, and with the requirements of the Drug-Free Workplace Act of 1988, the City reiterates its position that:

Any employee found to be manufacturing, distributing, dispensing, in possession, or using a controlled substance in the workplace will be subject to disciplinary action up to and including termination as provided for under the terms of the applicable collective bargaining agreement, municipal ordinance and Civil Service rules.

#### II. RESPONSIBILITY

##### A. Department of Human Resources

On a periodic basis, the Department of Human Resources in conjunction with the Departments and Divisions shall present a drug-free awareness program to inform employees about:

1. The dangers of drug abuse in the workplace;
2. The City's policy of maintaining a drug-free workplace;
3. The drug counseling, rehabilitation and employee assistance programs that are available; and
4. The penalties that may be imposed upon employees for drug abuse violations, i.e., action that can be taken pursuant to collective bargaining agreements, municipal ordinance and established policy and practice.

##### B. All Departments, Division, and Agencies who are Federal Contractors or Grantees as Defined in the Drug-Free Workplace Act

All departments, division, and agencies who are federal contractors or grantees as defined in the drug-free workplace statute, i.e., have been required to provide certification of a drug-free workplace to a federal agency, shall:

1. Provide all employees who are engaged in the performance of a federal contract or grant with a copy of this policy.
2. Notify employees in writing that, to maintain employment, the employee will:
  - a. abide by the terms of this Administrative Policy and Procedure regarding a drug-free workplace.
  - b. notify the City of any criminal drug conviction for a violation occurring in the workplace no later than five (5) days after such conviction.
3. Notify the contracting or granting agency within ten (10) days after receipt of notice of a conviction pursuant to B.2.b or otherwise receiving actual notice of such conviction.
4. Upon receipt of notice of a criminal drug conviction for a violation occurring in the workplace, the department, division or agency will, if action has not already been taken:
  - a. take appropriate disciplinary action as provided for by the collective bargaining agreement or municipal ordinance, or
  - b. require, where otherwise allowable, that the employee satisfactorily participate in a drug abuse assistance or rehabilitation program.
5. Insure that all employees who are engaged in the performance of a federal contract or grant attend the drug-free awareness programs scheduled by the Department of Human Resources. Wherever possible, to schedule all other employees to attend such awareness programs.

### **III. EFFECTIVE DATE**

This Administrative Policy and Procedure shall take effect and be enforced from the date of issue.

/s/Michael P. Bell  
Mayor

**EMPLOYEE NOTIFICATION PURSUANT  
TO THE DRUG-FREE WORKPLACE ACT OF 1988**

I have been provided with a copy of Administrative Policy and Procedure #42-A, Drug-Free Workplace.

I have been notified that to maintain employment under a federal contract or grant, I am:

1. required to abide by the statement of policy in AP #42(I); and
2. required to notify the City of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction.

I acknowledge receipt of this notice.

Signature \_\_\_\_\_

Division/Department \_\_\_\_\_

Name \_\_\_\_\_

Date \_\_\_\_\_

\_\_\_\_\_

On \_\_\_\_\_, I attended a drug-free awareness program conducted by the City of Toledo.

Signature \_\_\_\_\_

Division/Department \_\_\_\_\_

Name \_\_\_\_\_

Date \_\_\_\_\_