

SUBSTANCE ABUSE POLICY

Section 1. Purposes

The purposes of this policy are as follows:

- a. To establish and maintain a safe, healthy working environment for all employees; and
- b. To insure the reputation of the City of Norwich and its employees as good, responsible citizens worthy of public trust; and
- c. To reduce the incidents of accidental injury to person or property; and
- d. To reduce absenteeism, tardiness and indifferent job performance; and
- e. To provide assistance toward rehabilitation for any employee who seeks help in overcoming any addiction to, dependence upon, or problem with alcohol or drugs.

Section 2. Definitions

- a. Alcohol or Alcoholic Beverage – means any beverage that has an alcoholic content; and
- b. Drug – means any substance (other than alcohol) capable of altering the mood, perception, pain level or judgment of the individual consuming it, except prescription drugs as defined in Section 2(c) of this Article; and
- c. Prescribed Drug – means any substance prescribed for the individual consuming it by a licensed medical practitioner; and
- d. Illegal Drug – means any drug, chemical, or controlled substance, the sale or consumption of which is illegal; and
- e. Supervisor – means the employee’s immediate superior in the chain of command, or the Department Head, or the City Manager, or their designee; and
- f. Employee Assistance Program – means Employee Assistance Program provided by the City of Norwich or any agency/entity the City has contracted with to provide said Program.

Section 3. Employee Assistance Program

- a. Any employee who feels that he/she has developed an addiction to, dependence upon or problem with alcohol or drugs, legal or illegal, is encouraged to seek assistance. Entrance into the Employee Assistance Program can occur by self referral, recommendation or referral by a Supervisor, or the Department Head, or the City Manager, or their designee.
- b. Request for assistance through “recommendation” or “Supervisor/Department Head/City Manager referral” will be treated as confidential. “Self referral” confidentiality will be maintained between the individual seeking help and employee assistance personnel.

- c. Employee progress will be monitored by the Department Head, or the City Manager, or their designee.
- d. Rehabilitation itself is the responsibility of the employee. For employees enrolled in a formal treatment program, the City may grant rehabilitation leave at full pay out of accumulated sick leave. Outpatient care will be charged to sick leave. Employees who have used up accumulated sick leave may be allowed to use vacation and other accumulated leave time.
- e. To be eligible for continuation of employment on a rehabilitation pay basis in accordance with Section 3(d) above, the employee must have been employed at least one (1) year; must maintain at least weekly contact with the Department Head or the City Manager, or their designee; and upon request must provide written certification that he/she is continuously enrolled in a treatment program and actively participating in that program. The aforesaid requirement of weekly contact and written certification shall not apply during periods of outpatient treatment.
- f. Upon successful completion of treatment, the employee will be returned to active status without reduction of pay, grade or seniority.

Section 4. Alcoholic Beverages

- a. No alcoholic beverages will be brought to work by an employee or consumed while on property owned by the City of Norwich. The City of Norwich may invoke appropriate disciplinary action for any violations.
- b. Drinking or being under the influence of alcoholic beverages while on duty is cause for suspension or termination.
- c. Any employee whose off-duty use of alcohol results in any violation of the Collective Bargaining Agreement between the City and the Association or the Merit System Rules of the City of Norwich, including but not limited to, excessive absenteeism or tardiness, accidents or inability to perform in a satisfactory manner, may be referred to the Employee Assistance Program for rehabilitation in lieu of disciplinary action being taken. In the event the employee refuses or fails rehabilitation, disciplinary action for the violation committed may be imposed, including suspension or termination.

Section 5. Prescription Drugs

- a. No prescription drug shall be brought to work by any employee other than the employee for whom the drug is prescribed by a licensed medical practitioner, and shall be used only in the manner, combination and quantity prescribed.
- b. Any employee whose improper use of prescription drugs results in any violation of the Collective Bargaining Agreement between the City of Norwich and the Association or the Merit System Rules of the City of Norwich, including but not limited to, excessive absenteeism or tardiness, accidents or inability to perform in a satisfactory manner, may be referred to the Employee Assistance Program for rehabilitation in lieu of disciplinary action being taken. In the event the employee refuses or fails rehabilitation, disciplinary action for the violation committed may be imposed, including suspension or termination.

Section 6. Illegal Drugs

- a. The use of an illegal drug or controlled substance or the possession of them, on or off duty, is cause for suspension or termination.
- b. The sale, trade or delivery of illegal drugs or controlled substances by an employee, on or off duty, to another person is cause for suspension or termination, and/or for referral to law enforcement authorities.

Section 7. Procedures

The procedures of the City of Norwich in regards to employees using, possessing or under the influence of, alcohol, drugs, chemicals, or controlled substances while on duty are as follows:

- a. Employees shall report to their places of assignment fit and able to perform their required duties and shall not by any improper act render themselves unfit for duty.

STEP 1: Any Supervisor or Department Head who has reasonable belief that an employee is under the influence of alcohol, drugs or chemicals shall immediately relieve said employee from duty in order to protect said employee fellow employees, and the public from harm.

STEP 2: The Supervisor or his/her designee shall immediately notify the Department Head, or the City Manager, or their designee. In addition, he/she shall notify the Association President or an Association Officer.

STEP 3: Both the Supervisor and the Department Head, and/or the City Manager, or their designee, will interview the employee in the presence of the Association President or an Association Officer if readily available, and if the Supervisor and Department Head, and/or the City Manager, or their designee believe that the employee is under the influence of alcohol, drugs or chemicals, then said employee will be taken to the City's designated hospital or testing facility.

STEP 4: The decision to relieve the employee from duty shall be documented as soon as possible. The Supervisor and the Department Head, and/or the City Manager, or their designee, and the Association President or Association Officer if present, should document reasons and/or observations, such as glazed eyes, smell of alcohol, slurred speech, wobbly walk, change in attitude, aggressiveness, passed out, change in normal appearance, etc.

STEP 5: If the employee is willing to sign the appropriate release form, the hospital or testing facility will perform a drug and/or alcohol test.

It shall be made clear to the employee before he/she signs the release form that the results will be made available to the Department Head and/or the City Manager and the employee, and may be used in disciplinary proceedings against the employee.

If the employee refuses to sign the appropriate release form or refuses to take the test(s), the employee will be considered in violation of the Collective Bargaining Agreement between the City of Norwich and the Association and the Merit System Rules of the City of Norwich. In which case, the employee will be relieved of duty and removed from the payroll.

STEP 6: When an alcohol/drug test is administered, the employee will be placed on limited duty or leave with pay until the results are available.

If the test results are negative, no reference to said test will be placed in the employee's personnel file.

When test results are positive, the employee will be relieved of duty and may be referred to the Employee Assistance Program in lieu of disciplinary action being taken.

The Department Head, or the City Manager, or their designee, shall make the final determination whether the employee returns to active status or remains off duty.

Rejection of treatment or failure to complete the program will be cause for suspension or termination.

Upon successful completion of treatment, the employee will be returned to active status without reduction of pay, grade or seniority.

No employee will be eligible for the Employee Assistance Program more than one (1) time.

- b. Any employee driving a City of Norwich apparatus involved in an accident may be tested for drugs and alcohol.
- c. Any Supervisor or Department Head or any person designated as a Supervisor who does not relieve an employee suspected of being under the influence of alcohol, drugs or chemicals shall be subject to disciplinary action.

Section 8. Effective Date - Notice to Employees – Federal/State Law

- a. The policies set forth in this Substance Abuse Policy shall be effective July 1, 1992. Each present employee will be furnished a copy of this Policy and will sign a receipt for the same. Employees hired in the future will be furnished a copy of said Policy.
- b. These policies will be implemented in a manner that will comply with all applicable federal and state laws.

Section 9. The failure of the City to exercise any right under this Article in a particular way shall not be deemed as a waiver of such right or preclude the City from exercising the same in some other way not in conflict with the provisions of this Article.