DRUG FREE WORKPLACE POLICY

The Town Council of the Town of Corunna, Indiana, hereby adopts the following Drug Free Workplace Policy.

1. **Drug-Free Workplace**

Drug and alcohol use is highly detrimental to the safety and productivity of employees in the workplace. No employee may be under the influence of any illegal drug or alcohol while in the workplace, while on duty, or while operating a vehicle or equipment owned or leased by the Town.

In accordance with The Drug-Free Workplace Act of 1988, and the State of Indiana Drug-Free Workplace Executive Order No. 90-5 of 1990, the Town must maintain a drug-free workplace. Failure to comply with the law could jeopardize government funds the Town receives. The unlawful manufacture, possession, distribution, transfer, purchase, sale, use, or being under the influence of alcoholic beverages or illegal drugs while on the Town's property, while attending business-related activities, while on duty, or while operating a vehicle or equipment leased or owned by the Town is strictly prohibited and may lead to disciplinary action, including suspension without pay or discharge. When appropriate, the Town may refer the employee to approved counseling or rehabilitation programs.

While on official Town business, an employee must comply with this policy as a condition of employment.

Should an employee be convicted of a drug-related crime that occurred in the workplace, he/she must notify their elected official/department head within twenty-four (24) hours of the conviction and the department head/elected official shall immediately inform the Clerk-Treasurer. The Town is required to notify appropriate government agencies within ten (10) days of the conviction.

Appropriate personnel action, including possible discipline and/or participation in a drug abuse assistance or rehabilitation program, may result after notice of the conviction is received.

Determinations associated with assisting employees who are at risk of health or performance deterioration will be made on a case-by-case basis. Employees may use physician prescribed medications, provided that the use of such drugs does not adversely affect job performance or the safety of the employee or other individuals in the workplace.

The Town recognizes that employees may wish to voluntarily seek professional assistance in overcoming drug or alcohol problems. Please contact the Town insurance carrier for more information about the benefits potentially available under the employee group health insurance benefit plans and any possible referral sources.

Employees may keep prescription drugs and over-the-counter medications on Town premises when ordered by a medical physician by prescription; or on an as-needed basis for over-the-counter medications. Employees shall notify their elected official/ department head of such drugs and prescriptions.

2. **Drug Testing**

The Town is committed to providing a safe, efficient, and productive work environment for all employees. In keeping with this commitment, employees and job applicants may be asked to provide body substance samples (e.g. blood, urine, hair) to determine the illicit use of drugs, including but not limited to marijuana, cocaine, opiates, amphetamines, alcohol, barbiturates, and phencyclidine (PCP). The Town reserves the right to conduct drug and alcohol testing without notice. The Town will attempt to protect the confidentiality of all drug test results.

3. **Pre-Employment Testing**

The Town will not employ individuals known to use illegal drugs or misuse prescription drugs. All prospective new employees shall be subject to drug and alcohol testing. Offers of employment shall be contingent on passing the pre-employment drug and alcohol screen. Applicants who refuse to complete the test, test positive, or refuse to complete related documentation will not be hired by the Town.

4. **Reasonable Suspicion**

An employee may be requested to submit to a drug or alcohol test when the elected official, department head, or supervisor has reasonable suspicion that the employee has used alcohol or drugs or is impaired from the use of alcohol or drugs during his/her employment with the Town. In the event that an employee is requested to submit to a drug test, the elected official, department head, or supervisor shall complete the appropriate form setting forth the observations leading to the determination of reasonable suspicion including the following:

A. Observation of drug or alcohol use;

B. Observation of drugs, alcohol, or containers traditionally used for drugs or alcohol;

C. Observations of behavior of the employee, including balance, speech, reactions, and other characteristics supporting reasonable suspicion of use of drugs or alcohol or impairment by drugs or alcohol;

D. A pattern of abnormal or erratic behavior by the employee; or

E. Information provided by reliable or credible sources of the above.

In the case of a positive test, the Town reserves the right to exercise any disciplinary action deemed appropriate up to and including termination based on the severity of the situation and the totality of the circumstances surrounding the incident.

5. **Post-Accident**

This policy shall apply to all employees, including those employees that drive a personal or Town-owned vehicle in the performance of their work. Testing of this kind occurs when an employee is involved in an accident resulting in:

A. The death or injury of a Town employee or member of the general public;

B. Damage to public or private property and/or equipment if at least one of the vehicles is disabled to the extent that it must be towed from the accident scene or operating a vehicle or equipment owned by or leased by the Town if the driver receives a citation for a moving violation; or

C. Damage to public or private property and/or equipment or injury to self or others resulting from a workplace accident that does not involve a vehicle.

D. Any employee involved in or observing an accident shall take sufficient number of photographs to document the scene of the accident and the damage done and shall immediately submit those photographs and a written report to his or her department head who shall then immediately submit the documentation to the Town Council President and the

The Town reserves the right to order post accident tests as it deems appropriate based on the totality of the circumstances surrounding the accident. Post-accident tests may include screens for both drugs and alcohol.

6. **Federal Motor Carrier Safety Regulations/Safety Sensitive Positions Drug & Alcohol Policy**

The Town has instituted this policy to provide a healthy and safe work environment for its employees and to ensure the safety of the general public. The provisions of this policy are established to address the use and possession of alcohol, Schedule I Controlled Substances, physician-prescribed medications, and over-the-counter medications by employees in positions that have been classified as safety sensitive.

It is also the policy of the Town to comply with and abide by all laws and regulations that have been established by PART 382 - CONTROLLED SUBSTANCES AND ALCOHOL USE AND TESTING of the Federal Motor Carrier Safety Regulations, U.S. Department of Transportation (DOT), and the Federal Highway Administration (FHWA).

In complying with these regulations, the Town hereby institutes a comprehensive controlled substance and alcohol testing, training, and record keeping program for employees in positions that have been classified as "safety sensitive" according to federal regulations. In accordance with DOT/FHWA regulations, included in this classification of safety sensitive positions are all positions which require an employee to operate a commercial motor vehicle and/or hold a Commercial Driver's License (CDL).

Information and training concerning the specific provisions of this policy will be provided to all employees and supervisors of employees holding safety sensitive positions.

Training concerning this policy will be provided to all employees and supervisors of employees holding safety sensitive positions. Employees shall be required to attend such training; and shall be disciplined for failure to do so, up to and including termination.

7. This policy is adopted this 5 day of ~~June~~ February, 2013.

PASSED AND ADOPTED by the Town Council of the Town of Corunna, DeKalb County, Indiana, on the 5 day of February, 2013.

Jay Christian

Steve Faulkner

Lori Hyde

ATTEST:

Casandra Lynch, Clerk-Treasurer