

COQUINA WATER CONTROL DISTRICT
DRUG FREE WORKPLACE POLICY

The employees of the Coquina Water Control District (the “CWCD”) are our most valuable resource, and for that reason, their health, safety, and welfare is of paramount concern. The CWCD recognizes that substance abuse in our nation and our community exacts staggering costs in both human and economic terms. Substance abuse causes impaired job performance, lost productivity, absenteeism, accidents, wasted materials, lowered morale, higher health care costs, and diminished interpersonal relationship skills. The CWCD commits to create and maintain a drug-free workplace.

The use of illegal drugs, the abuse of alcohol, and the misuse of prescription and over-the-counter drugs are unacceptable.

The CWCD does not permit the manufacture, possession, use, distribution, or dispensing of any controlled substance, alcohol, or any drug paraphernalia as the term is defined by law, by any member of the CWCD’s staff, visitor or vendor at any time while on CWCD property or while involved in any CWCD-related activity or event.

1. SCOPE

This policy applies to all CWCD full-time employees, part-time employees, temporary employees, and seasonal employees and job applicants as allowed by law.

2. DEFINITIONS

"Drug" means an amphetamine; a cannabinoid; cocaine; phencyclidine (PCP); a hallucinogen; methaqualone; an opiate; a barbiturate; a benzodiazepine; a synthetic narcotic; a designer drug; or a metabolite of any of the substances listed in this paragraph. This definition also includes all prescription drugs obtained without authorization and all prescribed and over-the-counter drugs being used in a way other than for medical purposes, in accordance with the directions for use provided in the prescription or by the manufacturer. This definition includes prescription marijuana. “Drug” also includes alcohol, which encompasses distilled spirits, wine, malt beverages, or intoxicating liquor.

3. POLICY

The CWCD has a “zero tolerance” policy pertaining to drugs and drug use, and therefore prohibits the illegal use, possession, sale, manufacture or distribution of illegal, non-prescribed drugs by its employees at all times. Employees should be aware that this prohibition applies to lawfully prescribed medical marijuana because marijuana, even if

lawfully prescribed, remains illegal under federal law as a Schedule I Drug under the Controlled Substances Act.

It is also against CWCD policy to report to work or to work under the influence of illegal, non-prescribed drugs or alcohol. Employees who violate this policy are subject to disciplinary action up to and including termination. Employees who are taking any prescription drug which might impair safety, performance, or any motor functions must advise their immediate supervisor or a human resources staff member before reporting to work while under the influence of such a medication.

4. TYPES OF DRUG TESTING

a. Applicant Drug Testing

For the purpose of this policy, "job applicant" means a person who has applied for a safety sensitive position with the CWCD and has been offered employment conditioned upon successful completion of a drug test. Applicants will be informed in advance of the requirement of a negative drug screen as a condition of employment. The drug screen must be conducted prior to commencement of employment in the safety sensitive position. A refusal to submit to a drug test or a positive confirmed drug test may be a basis for refusing to hire a job applicant. Applicants who fail to appear at the pre-employment drug screening within the twenty-four (24) hour period will not be eligible to reapply for a period of thirty (30) calendar days.

b. Reasonable Suspicion Drug Testing

For the purpose of this policy, "reasonable suspicion" means the reasonable belief that an employee is using or has used drugs in violation of this policy, drawn from specific objective and articulable facts and reasonable inferences drawn from those facts in light of experience concerning the appearance, behavior, speech, or body odors of the employee. Reasonable suspicion drug testing shall not be required except upon the recommendation of a supervisor who is at least one (1) level of supervision higher than the immediate supervisor of the employee in question. Among other things, such facts and inferences may be based upon:

- i. observable phenomena while at work, including, but not limited to; direct observation of drug use; physical symptoms; or manifestations of being under the influence of a drug;
- ii. abnormal conduct or erratic behavior while at work or a significant deterioration in work performance;
- iii. a report of drug use, provided by a reliable and credible source;

- iv. evidence that an individual has tampered with a drug test during his/her employment with the CWCD;
- v. information that an employee has caused, or contributed to, an accident while at work; or
- vi. evidence that an employee has used, possessed, sold, solicited, or transferred drugs while working for the CWCD or while on the CWCD's premises; or while operating the CWCD's vehicles, machinery, or equipment.

c. Post Accident/Incident Drug Testing

The CWCD will require employees involved in on-duty accidents/incidents that occur during work hours, on work premises, or while conducting official work business to be drug tested if:

- i. they require medical attention for injuries; and/or
- ii. they are found to be at fault due to negligence by not adhering to safety protocols; and/or
- iii. there is a loss or damage to CWCD or private property, equipment or machinery.

If any of the above conditions apply, the supervisor must also immediately escort the employee for drug testing at a contracted walk-in clinic or designated collection site.

d. Random Drug Testing

The CWCD will randomly select employees who perform high-risk and safety-sensitive functions, or who operate CWCD vehicles and/or machinery, at various times for unannounced drug testing. Covered employees will be selected by an unbiased and valid method (i.e. computer-generated random number table). Each employee has an equal chance of being selected each time, regardless of being previously tested.

5. DISCIPLINARY ACTION

Any employee found in violation of this policy will be subject to disciplinary action, up to and including termination of employment. Where applicable, CWCD may also take legal action in accordance with the law.

ACKNOWLEDGEMENT AND AGREEMENT

I, _____, acknowledge that I have read and understand the Drug Free Workplace Policy of the Coquina Water Control District. I agree to adhere to this policy and will ensure that employees working under my direction adhere to this policy. I understand that if I violate the rules set forth by this policy, I may face disciplinary action up to and including termination of employment.

Signature: _____

Date: _____

Witness/District Representative Signature

Witness/District Representative Name
