

HUDSON RIVER-BLACK RIVER REGULATING DISTRICT

SUBSTANCE ABUSE POLICY

The District recognizes that substances such as alcohol and drugs are used by individuals, sometimes to an extent that their abilities and senses are impaired. Our position regarding substance abuse is the same whether alcohol, marijuana, illegal drugs, prescription drugs, or controlled substances are involved ("substances").

This policy is implemented because the District believes that the impairment of any employee due to his or her use of substances is likely to result in the risk of injury to other employees, the impaired employee, or to third parties.

"Impairment" or "being impaired" means that an employee's normal physical or mental abilities or faculties, while at work, have been detrimentally affected by the use of substances.

The employee who begins work while impaired or who becomes impaired while at work is guilty of a major violation of District rules and is subject to severe disciplinary action. Severe disciplinary action can include suspension, dismissal, or any other penalty appropriate under the circumstances. Likewise, the use, possession, transfer, or sale of any substance on District premises or in any District vehicle, parking lot, storage area, or job site is prohibited; and violations are subject to severe disciplinary action. Any such disciplinary action of an employee represented by CSEA shall be subject to the grievance procedure set forth in the Agreement between the District and CSEA.

Employees who are taking prescription drugs are under a duty to report this to their supervisor. This is for the protection of the employee and for safety purposes in case of an adverse reaction to the drug while at work, or so the employee is not falsely accused of taking an illegal substance.

When an employee is involved in the use, possession, transfer, or sale of a substance in violation of this policy, the District may notify appropriate authorities. Under normal circumstances, such notice will be given only after such an incident has been investigated and reviewed by the employee's supervisors and the Chief Engineer.

The District is aware that substance abuse is a complex health problem that has both physical impact and an emotional impact on the employee, his or her family, and social relationships. A substance abuser is a person who uses substances, as defined above, for non-medical reasons, and this use detrimentally affects job performance or interferes with normal social adjustments at work. Substance abuse is both a management and a medical problem.

A supervisor who suspects a substance abuse case should discuss the situation immediately with his or her immediate superior. Because each case is usually different, the handling and referral of the case must be coordinated with the Chief Engineer.

Resources are available through the District's health insurance program to assist an employee who requests help with substance abuse. Also, assistance is available to those employees who are members of CSEA through the union's Employee Assistance Program. The employee must ask for help, the District will not require it. Should disciplinary action be pending against an employee who asks for help, the District will assist to the extent of its resources assuming that the employee remains employed. Nonetheless, regular disciplinary action will proceed. If the employee is terminated, the District will be unable to continue any program. Voluntary, successful participation in a recovery or rehabilitative program by an employee may be a mitigating factor in any disciplinary action depending on the facts and circumstances of each individual case. In some cases, disciplinary action may be suspended, or the employee placed on specific probation pending a successful completion of a recovery program.

Employees who are placed on a rehabilitation program because of performance or behavior problems due to substance abuse are subject to dismissal for failure to successfully complete the program or change their performance or behavior.

Applicants who have a past history of substance abuse and who have demonstrated an ability to abstain from the substance, or who can provide medical assurance of acceptable control, may be considered for employment with the District as long as they are otherwise qualified for the position for which they are applying.

Management has chosen to adopt an alcoholic beverage policy in keeping with the concern for and the risks associated with alcohol use. Alcoholic beverages shall not be served or used on District premises at any time except that, if management considers it appropriate, light alcoholic beverages may be served at District sponsored events. The service must be managed in good taste and with good judgment. No alcoholic beverages should be served at any District event where children are present.

The District is concerned with its employee's privacy, especially where matters regarding medical and personal information are involved. As long as the information is not needed for police or security purposes, the District shall maintain employee medical and personal information in confidence and release this information to authorized District personnel only on a "need to know" basis. An exception to this policy is where the employee signs a release for the transfer of such information to designated persons or agencies.