

The purpose of the Town of Walpole's Drug-free Workplace Policy is to emphasize prohibitions against the use or possession of illegal drugs or alcohol and to make employees and managers aware of the penalties for substance abuse on the job.

1. All employees are forbidden to use or possess illegal drugs or alcohol at any time during the work day or anywhere on the employer's premises. Workers also are forbidden to engage in any sale, manufacture, or other transactions and activities involving illegal drugs on the employer's premises. Violators will be subject to immediate discipline (suspension or termination) consistent with existing state and federal labor laws and union-approved policies. Disciplinary action will be taken consistent with the procedures established under current collective bargaining agreements, if any. Additionally, employees who are under the influence of drugs or alcohol while on the job will be subject to discipline.
2. The employer may seek the right to search handbags, containers, or other personal effects of workers at any time in compliance with federal and state laws and collective bargaining agreements governing such actions. If deemed necessary and allowable by law, employees may be asked to submit to physical search. At no time will any employee be searched by or in the presence of a member of the opposite sex. Refusal to cooperate may be treated as insubordination warranting immediate discipline.
3. Employees who appear to be impaired while on the job may be asked by their supervisor to submit to a test to determine whether they are under the influence of illegal drugs or alcohol. Tests that may be used include blood tests, urinalysis, or breathalyzer.
4. Any sale of illegal drugs during the work day or on the employer's premises will be treated as gross misconduct, punishable by immediate discipline (suspension or termination). Any off-duty employee convicted of selling drugs may also be subject to discipline by the employer.
5. Employees who must use a prescription drug that causes adverse side effects (e.g. drowsiness, or impaired reflexes or reaction time) should inform a supervisor that they are taking such medication or are under a physician's advice to do so. Such employees are responsible for informing supervisors or the drug's possible effect on performance and the expected duration of use. If a worker is using a drug that could cause safety problems, the supervisor may grant the employee sick leave or temporarily assign the employee different duties.
6. All employees, as a condition of employment, must notify their supervisor of any criminal drug statute conviction for a violation occurring in the work place no later than five (5) days after such conviction.
7. Certification of Drug Free Workplace: The Town of Walpole certifies that it will provide a drug-free workplace by:
  - a. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the applicant's workplace and specifying the actions that will be taken against employees for violation of such prohibition.
  - b. Establishing a drug-free awareness program to inform employees about:
    - 1) The dangers of drug abuse in the workplace;
    - 2) The applicant's policy of maintaining a drug-free workplace;
    - 3) Any available drug counseling, rehabilitation, and employee assistance Programs; and,
    - 4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.

c. Notifying the employee in the statement required by paragraph one (1) that, as a condition of employment the employee will:

- 1) Abide by the terms of the statement, and;
- 2) Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction.

d. Taking one of the following actions, within thirty (30) days of receiving notice under paragraph 3b, with respect to any employee who is so convicted:

- 1) Taking appropriate personnel action against such an employee, up to and including termination; or
- 2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency.

e. Making a good faith effort to continue to maintain a drug-free workplace through implementations of paragraphs one through four.

7. The place of performance shall be the Town of Walpole, Town Hall and all other municipally owned facilities and their immediate area.