

ORDINANCE 2019-027

AN ORDINANCE AMENDING THE VILLAGE OF WAYNESVILLE PERSONNEL POLICY MANUAL REGARDING DRUG-FREE WORKPLACE

WHEREAS, pursuant to Section 35.01 of the Waynesville Codified Ordinances, the Village of Waynesville has adopted and approved a Personnel Policy Manual; and

WHEREAS, Village Council has determined that it is in the best interest of the Village to make certain amendments to the Personnel Policy Manual regarding the drug-free workplace provisions.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Waynesville,

1 members elected thereto concurring:

Section 1. That the Village of Waynesville Personnel Policy Manual, as adopted by Section 35.01 of the Waynesville Codified Ordinances, is hereby amended as set forth in Exhibit "A" attached hereto and incorporated herein by reference in order to modify the drug-free workplace provisions. All other provisions not specifically amended shall remain in full force and effect.

Section 2. That this Ordinance shall be effective from and after the earliest period allowed by law.

Adopted this 1st day of July, 2019.

Attest:

[Signature]
Clerk of Council

[Signature]
Mayor

SECTION 6.3: DRUG-FREE WORKPLACE

The Village is committed to maintaining a workplace free of illegal drugs as well as the use of all intoxicating substances.

- (a) The unlawful manufacture, distribution, dispensing, possession, or use of an illegal or controlled substance, including medical marijuana, is prohibited in the workplace and during working hours.
- (b) The use of an illegal or controlled substance, including medical marijuana, or alcohol prior to beginning work or during meal or break periods is prohibited.
- (c) Any illegal use or abuse of a legal drug is prohibited. An employee is prohibited from being under the influence of alcohol ~~or~~, an illegal substance, or a controlled substance, including medical marijuana, at work.
- (d) The possession or distribution of alcohol in the workplace is prohibited.
- (e) If a supervisor has reasonable suspicion to believe that an employee may have violated paragraphs (a) through (d), the employer may require the employee to undergo tests for the use of drugs or alcohol. The employee shall submit to the drug or alcohol testing immediately upon the request of the employer.
- (f) Failure to pass a drug or alcohol test may result in immediate termination of employment.
- (g) An employee who must use a prescribed medication during work hours that may impair his or her safety or the safety of others or may otherwise impair the employee's ability to perform shall so notify the supervisor or department head. The department head may then, at his discretion (1) place the employee on sick leave, (2) reassign the employee to duties posing no such risk, or (3) have the employee's ability to work without impairment evaluated by the employee's physician or a physician selected and paid for by the Village. Under no circumstances may an employee use medical marijuana during work hours, even if properly recommended by a licensed and certified physician.
- (h) An employee who has been convicted of a violation of a criminal drug statute shall notify his or her department head no later than five days after such conviction. The Village may impose appropriate disciplinary action, up to and including termination for the first offense.