

HELEN PLUM LIBRARY

P-24 Drug and Alcohol-Free Workplace¹

Approved by the Library Board of Trustees December 20, 2022.

The Library is committed to providing a safe, healthy, and productive workplace that is free from alcohol, cannabis, and illegal drugs as classified under applicable local, state, or federal laws.

For purposes of this policy, “**Library location**” means in any library building, on any library premises, in any library-owned or rented vehicles, or at any library-sponsored activity where employees are engaged in activities under the jurisdiction of the Library.

Work Rules

Whenever employees are working or are present at any Library location, they are prohibited from:

- Using, possessing, buying, selling, manufacturing, or dispensing illegal drugs, alcohol, or cannabis
- Being under the influence of illegal drugs, alcohol, or cannabis

The Illinois Liquor Control Act allows an exception for public library districts to approve the delivery and sale of alcohol in library-owned buildings during fundraising events or programs of a cultural or educational nature. The Library's Board of Trustees is required to have a written policy governing how and when alcohol can be sold and served at a specific event; Policy C-6, Alcohol at Library Events, governs these specific circumstances. Employees participating in these events may consume a moderate amount of alcohol providing such consumption does not adversely affect an employee's behavior or judgment or ability to legally drive. A violation of this moderate consumption rule will result in discipline up to and including termination of employment.

“Legal drugs” are: (1) drugs that are permitted under state or federal law, (2) obtained by an employee with a physician's prescription or over-the-counter, and (3) used for the purposes for which they were prescribed or sold. Employees are responsible for consulting with their doctors about a prescription medication's effect on their ability to work safely, and promptly disclose any restrictions to their supervisor. In the event an employee fails to report such restrictions and creates a safety threat, neither a physician's prescription nor other medical reason will be an acceptable excuse for being in violation of this policy. Employees should not, however, disclose underlying medical conditions unless specifically directed to do so.

Employees using cannabis, medical or otherwise, must be aware of any potential effect such drugs may have on their judgment or ability to perform their duties and may not possess, use, or be under the influence of cannabis while performing their duties at any Library location.

“Illegal drugs” are drugs or controlled substances that are: (1) not legally obtainable under federal or state law, or (2) legally obtainable under federal and state law, but not obtained and/or used in a lawful manner. The use, purchase, sale, transfer, possession, being under the influence, or the presence in

¹ Policy U-8, Drug and Alcohol-Free Library -- Patrons applies to non-employees at the Library.

one's system of a detectable amount of an illegal drug by any employee is prohibited at any Library location.

Testing for Alcohol and Drugs

The Library will require a drug and alcohol test of any employee where there is a reasonable suspicion to believe that they may be using drugs or may be under the influence of drugs or alcohol while working at any Library location. "Reasonable suspicion" will be based on objective factors such as the employee's appearance, speech, behavior, or other conduct or facts that indicate the employee is under the influence of legal or illegal drugs, cannabis, alcohol, or any or all of the above. Involvement in an injury or accident at work or while performing Library business may also be grounds for testing if a member of management has a reasonable belief that drugs/alcohol may have contributed to the injury or accident. Employees will be required to sign a consent and release form prior to drug or alcohol testing. Test results will be kept confidential to the extent possible and consistent with applicable law.

The laboratory conducting the tests shall transmit positive drug tests results to a doctor called a medical review officer ("MRO"), retained by the Library, who shall offer persons with positive results a reasonable opportunity to establish that their results are caused by lawful prescribed medicines or other lawful substances. (A medical cannabis card or a claim that cannabis was used "off duty" is not a defense to a reasonable suspicion test). Persons with positive test results may also ask the MRO to have their split specimen sent to another federally certified lab, to be tested at the employee's or applicant's own expense. Such requests must be made within three (3) working days of notice of test results. If the second lab fails to find any evidence of drug use in the split specimen, the employee or applicant will be treated as passing the test.

Employees who refuse to cooperate or who test positive in violation of this policy may be subject to discipline, up to and including termination.

Notification of Drug Conviction

Employees must notify the Library of any criminal drug conviction occurring in the workplace no later than five days after such conviction. For purpose of this notice requirement, a conviction includes a finding of guilt, a no contest plea, and/or an imposition of sentence by any judicial body for any violation of a criminal statute involving the unlawful manufacture, distribution, sale, dispensation, possession or use of any controlled substance or cannabis. Failure to notify Human Resources may subject the employee to disciplinary action, up to and including termination.

Consequences

Any employee who violates the terms of this policy may be suspended or terminated pursuant to the rules and regulations of the Library and applicable state statutes. The Library may, at its discretion, refer incidents to appropriate legal authorities for prosecution when this policy is violated. Sanctions against employees shall be in accordance with prescribed library regulations and procedures.

Employee Assistance

The Library will assist and support employees who voluntarily seek help for alcohol or drug problems before they become subject to discipline under this or other Library policies. Employees who seek assistance will be allowed to use accrued paid time off, request an unpaid leave of absence (consistent

with the applicable unpaid leave policy), or be provided with a reasonable accommodation as required by law. Employees may be required to document that they are successfully following prescribed treatment.

Confidentiality

Information and records relating to drug and alcohol dependencies and medical records will be kept confidential and maintained in secure files separate from standard personnel files. Such records and information may be disclosed among managers on a need-to-know basis and may be disclosed where relevant to a grievance, charge, claim, or other legal proceeding initiated by or on behalf of an employee.