

RESOLUTION

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BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF COUNTY POLICY REGARDING ALCOHOL- AND DRUG-FREE WORKPLACE AND COMPLIANCE WITH THE DRUG-FREE WORKPLACE ACT OF 1988 (PUB L. 100-690, TITLE V, SUBTITLE D.)

WHEREAS, as a result of the Omnibus Drug Act of 1988, beginning March 18, 1989, all recipients of federal grants will be required to certify that they will maintain a drug-free workplace in order to remain eligible for federal contracts or federal grants; and,

WHEREAS, the Board of Benton County Commissioners recognizes that alcohol and drug use in government and business constitutes a safety, health and economic hazard to the business community; and

WHEREAS, the Board of Benton County Commissioners and Benton County as an employer desires to provide for all its employees a work environment which is free from alcohol and drug use; NOW, THEREFORE,

BE IT HEREBY RESOLVED by the Board of Benton County Commissioners that the Benton County Alcohol and Drug Abuse Policy, attached hereto and incorporated herein by reference as Exhibit A is hereby adopted.

BE IT FURTHER RESOLVED that the terms and conditions of the Alcohol and Drug Abuse Policy shall apply to all employees of Benton County.

Dated this 4th day of June, 1990

[Signature]
Chairman of the Board.

[Signature]
Member.

[Signature]
Member.

Attest: [Signature]
Clerk of the Board

Constituting the Board of County
Commissioners of Benton County,
Washington.

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EXHIBIT A

ALCOHOL AND DRUG ABUSE POLICY

A. PURPOSE

It is the policy of Benton County to maintain a safe, healthful and productive work environment for all employees. This policy provides guidelines for the detection and deterrence of alcohol and drug abuse in Benton County. It also outlines the responsibilities of management and employees. To that end, the County will act to eliminate any substance abuse: alcohol, illegal drugs, prescription drugs or any other substance which could impair an employee's ability to safely and effectively perform the functions of their particular job which increases the potential for accidents, absenteeism, substandard performance, poor employee morale, or damage to the County's reputation or property. All persons employed by Benton County are covered by this policy and are hereby made aware that violations of this policy may result in discipline, up to and including discharge. Misuse of alcohol and drugs will not be tolerated by Benton County Government. This policy is intended to be administered in conjunction with procedures outlined in Collective Bargaining Agreements regarding bargaining unit personnel.

For many years, Benton County has had a strong commitment to its employees to provide a safe work environment and to promote high standards of employee health. Consistent with the spirit and intent of this commitment, Benton County has established this policy regarding alcohol and drug abuse.

In recognition of the serious duty entrusted to the employees of the County, with knowledge that alcohol and drugs do hinder a person's ability to perform duties safely and effectively, the following policy against alcohol and drug abuse is hereby adopted.

B. OBJECTIVES

1. Increase employee awareness of the dangers of alcohol and drug use and/or abuse.
2. Eliminate the use, abuse, and/or possession of alcohol and unauthorized drugs on County premises.
3. Recognize the changes in employee's work, safety, attendance, and/or behavior which may identify potentially affected employees.
4. Encourage and motivate affected employees to seek appropriate assistance. Confidentiality will be

maintained, as much as possible.

C. POLICY

It is Benton County's expectation that employees shall not report to work under the influence of alcohol and/or drugs; possess, while on duty or subject to being called; or utilize such substances while they are subject to duty; sell or provide alcohol or drugs to anyone while such employee is on duty; or have their ability to work impaired as a result of the use of alcohol or drugs.

While use of medically prescribed medications and drugs is not per se a violation of this policy, failure by the employee to notify his/her supervisor, before beginning work, when taking medications or drugs which may interfere with the safe and effective performance of duties or operation of equipment, can result in discipline, up to and including termination. In the event there is a question regarding an employee's ability to safely and effectively perform assigned duties while using such medications or drugs, written clearance from a physician will be required.

The County reserves the right to search, without employee consent, all areas and property belonging to Benton County. Otherwise, the County shall notify law enforcement that an employee may have illegal drugs in his or her possession or in an area not jointly or fully controlled by the County.

Employees reasonably believed to be under the influence of alcohol and/or drugs shall be prevented from engaging in further work and shall be detained for a reasonable time until such time as the employee can be safely transported from the work site.

Rehabilitation of individual employees from abuse of alcohol and/or drugs is of primary importance to Benton County. Accordingly, Benton County shall establish an alcohol and drug free awareness program to inform its employees of (a) the dangers of alcohol and drug abuse in the workplace; (b) the availability of alcohol and drug counseling rehabilitation, and an explanation of benefits available through the county's insurance carriers; and (c) the penalties that may be imposed upon employees for alcohol and drug abuse violations occurring in the workplace.

D. APPLICATION

This policy applies to all applicants for positions and employees of Benton County. This policy applies to alcohol and to all substances, drugs, or medications, legal or illegal, which could impair an employee's ability to

effectively and safely perform the functions of their job.

E. EMPLOYEE RESPONSIBILITIES

An employee shall:

1. Not report to work or be subject to duty while his/her ability to perform job duties is impaired due to alcohol and/or drug use, (including prescription drugs) on or off duty.
2. Not possess or use, alcohol and/or drugs (illegal drugs and legal drugs without a prescription) during working hours;
3. Not sell or provide alcohol and/or drugs to any person or to any other employee while either employee or both employees are on duty;
4. Notify his/her supervisor, before beginning work, when taking any medications or drugs, prescription or non-prescription, which may interfere with the safe and effective performance of duties or operation of County equipment;
5. Notify the employer within five days of any criminal alcohol or drug statute conviction for a violation occurring in the workplace.

F. PROCEDURES

1. No employee shall be permitted to report to work or continue to perform work while in possession of, or under the influence of alcohol or other drug substances which in any way affects safe and efficient physical performance and/or mental judgment. Any employee found in such an apparent condition, will be removed from the work site and is subject to disciplinary action up to and including discharge.
2. Employees found to be manufacturing, selling or providing alcohol and/or other drug substances to anyone either on County premises, or during their work time are subject to disciplinary action up to and including termination.
3. Employees found to be using alcohol and/or other drug substances while on County premises or during work hours are subject to discipline up to and including discharge.
4. Recognizing that employee performance will be affected by alcohol and/or drug abuse, incidents of unacceptable

employee performance will be discussed with the employee and documented in writing as well as placing said documentation in the employee's personnel file. Continued unacceptable performance will result in progressive disciplinary action that could lead to the employee's discharge.

5. Information and educational materials will be provided to familiarize all employees with the dangers of alcohol and/or drug abuse.

Adopted this 4th day of June, 1990.

BOARD OF BENTON COUNTY COMMISSIONERS

Donald Stewart
Chairman

Robert D. Duke
Member

D.E. Isaacson
Member

ATTEST:
Clerk of the Board

BY: Jeri Lynn Johnston

APPROVED AS TO FORM:

[Signature]

Prosecuting Attorney