



Kalamazoo
Public Library

Operational Policy: Prohibited Substance Use and Abuse

The Kalamazoo Public Library (“KPL” or Library) is committed to protecting the safety, health and well-being of all employees and individuals within the library. The library recognizes that employee involvement with alcohol and other prohibited drugs can be very disruptive, adversely affect the quality of work and performance of employees, pose serious health risks to users and others, and have a negative impact on productivity and morale. We have established this “prohibited substance use and abuse policy” to balance our respect for individuals with the need to maintain an alcohol- and drug-free environment.

With this goal in mind and because of the serious safety and performance consequences of prohibited drug and alcohol use in the workplace, the Library has established the following policy for all employees of KPL.

KPL will strictly enforce the following:

1. Drug use (including having such substances in your system; other than lawfully prescribed and properly used drugs [for purposes of this policy, medical marijuana is a prohibited drug]), and alcohol use (being impaired by and/or under the influence of alcohol [BAC of .020% or more]), on Library time or property is strictly prohibited.
2. Possessing and/or transferring/selling prohibited drugs and/or alcohol on Library time or property is also prohibited.

“Prohibited drugs” include illegal drugs, non-prescribed drugs, medical

marijuana, alcohol, etc. An employee taking a prescription or using an over the counter (“OTC”) medication must notify his/her supervisor before beginning the work day if the medication’s use could adversely affect the employee’s ability to safely/effectively perform his/her job. It is the employee’s responsibility to know if their medication could impair their working ability.

An employee who is required to drive as part of his/her assigned duties must report any DUI/DWI charges to the Human Resources Manager within seven (7) calendar days after being charged. An employee convicted with an off-duty crime/offense involving drugs (e.g., using, possessing, selling, transferring, trafficking, etc.) and/or alcohol (e.g. DUI, selling or providing to minors, etc.), must notify the Human Resources Manager within seven (7) calendar days following the conviction. Failure to provide timely notification as outlined will result in discharge. The Library will investigate and will take appropriate corrective action if the Library’s investigation corroborates the charge/offense/conviction, dependent on the seriousness of the charge/offense/conviction, and depending on whether the Library’s investigation discloses a nexus between the charge/crime/offense/conviction and the Library.

Drug/Alcohol Testing:

KPL will conduct drug testing (at Library expense) under the following circumstances:

Reasonable suspicion testing: The library will require that an employee submit to an appropriate drug and/or alcohol test (e.g., saliva, blood, urine, hair, breath, etc.), if the Library reasonably suspects the employee has prohibited drugs and/or alcohol in his/her system while on Library time and/or property. The Library will provide supervisory personnel with training in how to recognize behavior/signs that generally accompany drug/alcohol use/abuse.

The employee will, at the time he/she is sent for testing, be removed from work and placed on unpaid investigatory suspension pending receipt of the test results. If the test result is negative the employee will be returned to work and will receive appropriate back-pay for the work-time lost. A positive test result will result in further corrective action, up to and including discharge.

Refusing to make oneself available for testing or refusing to comply with a directive to submit to a drug/alcohol test will be considered insubordination and will result in immediate discharge.

To ensure accuracy and fairness, testing will be conducted according to Substance Abuse and Mental Health Services Administration (SAMHSA) guidelines and will include a confirmation test; the opportunity for a split sample; review by a Medical Review Officer (including an opportunity for an employee who tests positive to provide a legitimate medical explanation [e.g., the employee is taking prescribed medication]), and a documented chain of custody.

Test results will be maintained separately and treated as confidential records, to be shared only with those who have a legitimate "need to know".

Consequences:

One of the goals of the Library's policy is to encourage employees to voluntarily seek help with alcohol and/or drug problems. Therefore, an employee who voluntarily requests assistance in dealing with a personal drug or alcohol problem may do so without jeopardizing his/her continued employment. However, after assistance has been requested, any subsequent violation of this policy will result in disciplinary/corrective action.

An employee who possesses, sells, attempts to sell, or in any other way distributes prohibited drugs and/or alcohol on Library time or property will be immediately discharged.

An employee who tests positive for prohibited drugs and/or alcohol will be subject to disciplinary/corrective action. Depending on the circumstances this may involve progressive discipline, immediate termination, or a “Last Chance Agreement” and rehabilitation. Rehabilitation will generally be offered only to an employee who has been employed with the Library for more than one (1) year and only for the employee’s first positive test.

*Previously called “Unlawful Drugs in the Workplace”

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