



CITY OF PROVIDENCE

7.3 DRUG AND ALCOHOL-FREE WORKPLACE POLICY

Purpose

The City of Providence is committed to protecting the safety, health, and wellbeing of all employees and other individuals in our workplace. Drug use and abuse at the workplace or while on duty is subject to immediate concern. These problems are extremely complex for which there are no easy solutions. The City of Providence encourages employees to voluntarily seek help with drug and alcohol problems.

Scope

All active employees, interns, fellows, and volunteers engaged by the City of Providence are covered under this policy.

Definitions

Controlled Substance: For the purposes of this policy, this means any drugs listed in 21 U.S.C. 812 and other federal regulations. Generally, all illegal drugs and substances are included such as marijuana, heroin, morphine, codeine, opium additives, LSD, DMT, STP, amphetamines, methamphetamines, and barbiturates.

Conviction: This refers to findings of guilt, to include a plea of nolo contendere, or the imposition of a sentence by a judge or jury in any state or federal court.

Policy

It is the policy of the City of Providence to provide a workplace that is free from the use and effects of drug and alcohol use and abuse. The city has a zero-tolerance policy for conduct in violation of this policy.

1. Prohibition Standards

- A. The City of Providence prohibits employees to use, sell, offer to sell, manufacture, distribute, dispense, or possess controlled substances, illegal drugs, narcotics, or intoxicants on city property, while on duty, or while operating a vehicle or machine owned or leased by the city. An employee may also be discharged or otherwise disciplined for a conviction involving illicit drug behavior, regardless of whether the employee's conduct was detected within business hours or whether their actions were connected in any way with their employment.
- B. Marijuana is still illegal under federal law, and the City of Providence complies with the federal Drug-Free Workplace Act. Therefore, the city considers marijuana an illegal drug for the purposes of this policy, regardless of state recreational marijuana laws.
- C. Further, employees shall not possess alcoholic beverages in the workplace, be impaired by, or consume alcoholic beverages at any time during their scheduled shift, including break and lunch time. Employees should not report to work impaired by or under the influence of any prohibited substances listed above.
- D. The illegal or unauthorized use or possession of prescription drugs is prohibited. It is a violation of this policy to use, sell, offer to sell, distribute, dispense, possess, intentionally misuse and/or abuse prescription medications. This type of abuse may result in job performance issues and/or increase the likelihood of a safety violation or accident.

2. Exemptions

- A. Prescription and over-the-counter drugs are not prohibited when taken in standard dosage and/or according to a physician's prescription. Any employee taking prescribed over the counter medications will be responsible for consulting the prescribing physician and/or pharmacist to ascertain whether the medication may interfere with safe performance of his/her job.



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- B. If the use of a medication could compromise the safety of the employee, colleagues, or the public, it is the employee's responsibility to use appropriate resources (such as the use of sick time, leaves of absence, change of duty requests, notification to the Department of People and Culture and supervisor[s]) to avoid unsafe workplace practices.
3. **Reporting**
- A. Any employee convicted for violation of any state or federal criminal drug law is required to inform the Department of People and Culture – Employee Experience and Chief People Officer within one day, or twenty-four hours following the conviction, per the Arrest Notification Policy.
- B. The employer will be responsible for reporting convictions to the appropriate federal granting source, within ten days after receiving notice from the employee or otherwise receiving actual notice of a conviction.
- C. All convictions must be reported in writing to the Department of People and Culture.
4. **Reasonable Suspicion**
- A. The city may ask an employee to submit to drug or alcohol testing at any time is has reasonable suspicion that the employee may be under the influence of drugs or alcohol, including but not limited to the following circumstances:
1. Evidence of drugs or alcohol on or about the employee's person or in the employee's vicinity.
 2. Specific observations of involvement in drug or alcohol related activity.
 3. Unusual conduct on the employee's part that suggests impairment or influence of drugs or alcohol.
 4. Damage to city property.
 5. Negative performance patterns.
 6. Excessive unexplained absenteeism or tardiness.
5. **Recovery-Friendly Workplace**
- A. The City of Providence encourages any employee with a drug or alcohol abuse problem to seek assistance.
- B. Employees who report the need for assistance (e.g., referrals, substance abuse counseling or program) in good faith while maintaining compliance with this policy will receive assistance from the Department of People and Culture without recourse of discipline.
- C. Should you need more information about assistance available, please contact the Department of People and Culture – Employee Experience.
- D. Employees are encouraged to refer to the Recovery-Friendly Workplace Policy for more information.
6. **Compliance**
- A. In the case of applicants, or temporary employees being considered for regular employment, if he or she violates this policy, any pending offer of employment will be withdrawn. The applicant may reapply after six months and must successfully pass a pre-employment drug and alcohol test.
- B. Those who violate this policy will be subject to immediate termination from employment with no further notice.
- C. The off-premises abuse of alcohol, controlled substances and illegal drugs, or related criminal activity, which adversely affects the job performance, job safety, or the city's reputation, may result in progressive disciplinary action, up to and including suspension or immediate termination.

Related Policies:

Anti-Discrimination and Harassment Policy
Whistleblower Anti-Retaliation Policy
Criminal Background Disqualification Policy



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Arrest Notification Policy

Code of Conduct

Employee Reporting and HR Hotline

Drug & Alcohol-Free Workplace Policy

Recovery Friendly Workplace Policy

Related Information:

Local 1033 [Collective Bargaining Agreement](#)