



City of Meridian
Standard Operating Policy
Number 7.1

## **Drug and Alcohol**

### **Purpose:**

To set forth the City's policy to provide a drug and alcohol-free workplace for the protection and well-being of the City, its employees, property, equipment, operations, and the public it serves.

### **Policy:**

In recognition of the harmful effects that the use of illegal drugs and the misuse of alcohol can have on employees in the workplace, the City of Meridian has a responsibility to provide and maintain a safe, secure, productive and efficient work environment free of the use, sale or possession of alcohol and controlled substances. The City is committed to promoting and maintaining a drug and alcohol-free work environment for our employees and members of the general public. Furthermore, the City has an obligation to protect the City's property, equipment, operations and reputation.

Being under the influence of alcohol or an illegal drug or improper use of a prescription drug on the job poses serious safety and health risks to the user and to all those who work with the user. The use, sale, purchase, transfer, or possession of an illegal drug in the workplace, and the use, possession, or being under the influence of alcohol in the workplace also poses unacceptable risks for safe, healthful, and efficient operations.

Employees are expected to report to work drug and alcohol free in order to enable safe and efficient job performance. Employees are expected to engage in activities while on the job, while on City premises, or in the scope and course of employment, which are appropriate for the work environment and do not compromise the City's integrity or interest in maintaining a safe, secure, and drug and alcohol-free workplace.

For the purpose of this policy, volunteers are considered employees, when in the workplace. This policy applies to all regular full-time, part-time, introductory, temporary, seasonal, contract employees, and all selected job applicants or prospective City employees.

The City requires compliance with this policy as a condition of employment for qualified applicants or for continued employment for all City employees and volunteers. Anyone found to be in violation may be subject to disciplinary action, up to and including termination.

This Drug-Free Workplace Policy is not intended to replace or supersede testing, reporting, and procedures mandated by federal and state rules, regulations, or laws that relate to the maintenance of a workplace free from alcohol and illegal drugs.

This policy shall be implemented pursuant to the Drug and Alcohol Standard Operating Procedures.

### **Represented Employees (Fire Union)**

The collective labor agreement shall govern the alcohol/drug program/policy for represented employees.

**Authority & Responsibility:**

The Human Resources Director or designee shall be charged with interpreting and administering this policy. Supervisors and department directors are responsible to ensure compliance to this policy within their areas of responsibility.



City of Meridian
Standard Operating Policy
7.2

## **Use of Nicotine or Tobacco Products**

### **Purpose:**

To set forth the City's policy on the use of nicotine or tobacco products, real or simulated, by employees, on City property during work hours.

### **Policy:**

To promote a healthy workforce and healthy working environment, employees' use of nicotine or tobacco products, real or simulated, on City property during work hours is hereby prohibited.

This policy shall be implemented pursuant to The Use of Nicotine or Tobacco Products Standard Operating Procedures.

### **Authority and Responsibility:**

Human Resources shall be responsible for interpreting this policy.

### **Exceptions:**

This policy does not restrict employee use of products prescribed or recommended by a health care provider as part of a smoking or tobacco cessation program, so long as use of such products during work hours occurs in public smoking areas only. This exception shall only apply for sixty (60) days after providing notice to Human Resources at the beginning of the program or until program completion occurs, whichever is shorter.



City of Meridian
Standard Operating Policy
Number 7.3

## **Workplace Violence**

### **Purpose:**

To set forth the City's policy prohibiting violence in the workplace by employees, supervisors, elected or appointed officials, and members of the public.

### **Policy:**

The City prohibits the use of verbal, physical, and/or electronic means of intimidation, threats or violent acts by or towards any City employee, on any City premise, and/or within any City vehicle. All such actual or potential incidents must be reported promptly to the employee's supervisor, department director, Human Resources Director or designee, or the Compliance and Ethics Helpline.

This policy shall be implemented pursuant to the Workplace Violence Standard Operating Procedures.

### **Authority & Responsibility:**

Supervisors and department directors or designees are responsible for ensuring a violence-free workplace within their scope of responsibility. Human Resources shall be responsible for administering this policy.



City of Meridian
Standard Operating Policy
Number 7.4

## **Criminal Charges**

### **Purpose:**

To set forth the City's policy on employees who incur criminal charges.

### **Policy:**

Employees charged with a misdemeanor or felony of any class must report the charge immediately to his/her department director or designee. Should the charge interfere with the employee's ability to perform his/her duties, create a conflict of interest, or compromise the best interests of the City, the employee may be subject to disciplinary action up to and including termination.

This policy shall be implemented pursuant to the Criminal Charges Standard Operating Procedures.

### **Authority & Responsibility:**

Human Resources shall administer and interpret this policy. Department Directors or supervisors who are informed by an employee of criminal charges must report such information to the Human Resources Director or designee immediately.



City of Meridian
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Number 7.5

## **Standards of Conduct**

### **Purpose:**

To set forth the City's policy regarding standards of conduct and behavior to be followed by all City employees, appointed officials, and elected officials ("employees").

### **Policy:**

All employees are expected to conduct themselves in a professional manner that is representative of the City. All employees regardless of title are expected to provide excellent customer service to the public, treat all members of the public with due respect, be accountable for their actions, and to maintain good community relations.

This policy shall be implemented pursuant to the Standards of Conduct Standard Operating Procedures.

### **Authority & Responsibility:**

Human Resources shall be responsible for administering this policy.



City of Meridian
Standard Operating Policy
Number 7.6

### **Prohibited Activities in Workplace Conduct**

**Purpose:**

To set forth the City's policy for activities and behaviors that are inappropriate and prohibited within the workplace.

**Policy:**

All employees, appointed officials, and elected officials are expected to perform and behave in a professional and courteous manner. Inappropriate and prohibited activities and behavior within the workplace will not be tolerated by employees or volunteers (as applicable).

This policy shall be implemented pursuant to the Prohibited Activities in Workplace Conduct Standard Operating Procedures.

**Authority & Responsibility:**

Human Resources shall administer and interpret this policy. Department Directors or designees and supervisors are responsible to ensure compliance with this policy for themselves and individuals within their assigned scope of responsibility.



City of Meridian
Standard Operating Policy
Number 7.7

## Recycling

**Purpose:**

To set forth the City's policy regarding recycling efforts by City employees.

**Policy:**

The City of Meridian supports and actively participates in recycling efforts to protect the environment and divert materials from the landfill. All City departments are encouraged to recycle, rather than discard, any and all materials that are recycled by the City's waste hauler.

This policy shall be implemented pursuant to the Recycling Standard Operating Procedures.

**Authority & Responsibility:**

Department Directors are responsible for administering this policy in their respective departments.





City of Meridian
Standard Operating Procedures
Number 7.1

## Drug and Alcohol

### Purpose:

To set forth the City's procedures for providing a drug and alcohol-free workplace for the protection and well-being of the City, its employees, property, equipment, operations, and the public it serves. These procedures include the City's drug and alcohol testing program and provide guidance to supervisors and employees concerning their responsibilities for carrying out the program.

### Procedures and Related Information:

#### I. General

- A. These procedures apply to all regular full-time, part-time, introductory, temporary, and seasonal or contract employees, volunteers, and all job applicants.
- B. Represented employees (Fire Union) are governed by the alcohol/drug policy/program set forth in the current collective labor agreement, appendix B.
- C. Safety Sensitive Positions – As used in these procedures, safety sensitive positions are those positions that include the following functions, duties and responsibilities:
  1. The job functions associated with these positions directly and immediately relate to public health and safety, the protection of life, and law enforcement.
  2. Safety sensitive positions are those that require an employee to:
    - a. Carry firearms;
    - b. Have custodial responsibility for illegal drugs;
    - c. Perform emergency medical, lifesaving, and/or fire suppression activities;
    - d. Have supervision over children in the absence of their parents or adult guardians;
    - e. Have access to homes and/or businesses in the City;
    - f. Handle hazardous materials that if mishandled, place City employees and/or the general public at risk of serious injury;
    - g. Work in the water and wastewater systems and their operations;
    - h. Be required to maintain a Commercial Driver's License (CDL); or
    - i. Operate heavy machinery
  3. Human Resources shall maintain a list of every safety sensitive position that is covered in these procedures.

## II. Definitions

- A. Alcohol: means any beverage that contains ethyl alcohol (ethanol), including but not limited to beer, wine, and distilled spirits.
- B. Applicant: Any individual tentatively selected for employment with the City.
- C. City premises or City facilities: for the purpose of these procedures means all property of the City of Meridian including, but not limited to, the offices, facilities, land, and surrounding areas on the City's owned or leased property, parking lots, and storage areas. The term also includes the City's owned or leased vehicles and equipment wherever located.
- D. Drug Paraphernalia: Drug related paraphernalia is any unauthorized material or equipment or item used or designed for use in testing, packaging, storing, injecting, ingesting, inhaling, or otherwise introducing into the human body an unauthorized substance.
- E. Drug testing: means a urinalysis taken for the purpose of determining whether drugs are in the person's system or any other testing the City deems appropriate and reliable.
- F. Employee Assistance Program (EAP): A contract-based counseling program that offers assessment, short-term counseling, and referral services to employees for a wide range of alcohol, drug, and mental health problems and monitors the progress of employees while in treatment.
- G. Illegal drug: means any drug as defined by section 802 (6) of Title 21 of the United States Code which is not legally obtainable under chapter 13 of that title. Examples of illegal drugs are cannabis substances, such as marijuana and hashish, cocaine, opiates, phencyclidine (PCP), and so-called designer drugs and look-alike drugs or use of a legal drug not prescribed to the employee.
- H. Legal drug: means any prescribed drug or over-the-counter drug that has been legally obtained and is being used for the purpose for which prescribed or manufactured.
- I. Medical Review Officer (MRO): An independent licensed medical practitioner who has knowledge of substance abuse disorders and the appropriate medical training to interpret and evaluate all positive test results together with an individual's medical history and any other biomedical information.
- J. Reasonable belief: means a belief based on objective facts sufficient to lead a prudent person to conclude that a particular employee is under the influence of drugs or

alcohol which may cause the employee to be unable to satisfactorily perform his or her job duties or pose a hazard to himself/herself or others.

- K. Under the Influence: means a condition in which a person is affected by a drug or alcohol in a detectable manner. A determination of being under the influence can be established by a scientifically valid test, such as breath test or urinalysis.

### III. Prohibited Activities

#### A. On-Duty

1. Employees are expected to work alcohol and drug free in order to enable safe and efficient job performance.
2. The use, sale, distribution, manufacture, purchase, transfer, storage, or possession of alcohol or illegal drugs, paraphernalia or the unauthorized use of prescription drugs or any combination thereof, while on City premises, in City vehicles is strictly prohibited. While operating City equipment, at a job site during work hours or in the scope and course of City employment is also strictly prohibited. Any violation of these procedures are grounds for disciplinary action, up to and including termination.
3. Employees who report to work and are suspected of being under the influence of alcohol or drugs shall be immediately reported to Human Resources and may be subject to reasonable cause drug or alcohol testing and will not be allowed to drive themselves to be tested, home or elsewhere. Refusal to comply with this rule may result in immediate termination.
4. Any on-duty conduct of any employee which results in an arrest or conviction, regardless of the form of the judgement, for Driving under the Influence, Possession of Alcohol by a Minor, procuring or distribution of illegal drugs may be subject to discipline up to and including termination.
5. Any employee arrested, while on duty, for committing an offense identified in section 4 must inform their supervisor or Human Resources immediately. Failure to do so may be subject to disciplinary action, up to and including termination.
6. Restrictions caused by the criminal conduct, i.e. driver's license restrictions; jail or work release; occupational license suspensions or revocations, etc., may be subject to discipline up to and including termination. The City of Meridian is not required by these procedures to adjust work schedules, job duties, or bonafide job requirements due to the employee's restrictions.

#### B. Off-Duty

1. The off-duty conduct of any employee which results in an arrest or conviction, regardless of the form of the judgement, for Driving under the Influence, Possession of Alcohol by a Minor, procuring or distribution of illegal drugs may be subject to discipline up to and including termination.
2. Any employee arrested or convicted, regardless of the form of the judgment of violating a criminal offense identified in section 1 away from the workplace must inform the City of such arrest or conviction, regardless of the form of the

judgment, immediately, but no longer than five days of the event. Notification must be made to the employee's supervisor or Human Resources. Failure to inform the City subjects the employee to disciplinary action up to and including termination.

3. Restrictions caused by the criminal conduct, i.e. driver's license restrictions; jail or work release; occupational license suspensions or revocations; etc., may be subject to discipline up to and including termination. The City of Meridian is not required by these procedures to adjust work schedules, job duties, or bonafide job requirements due to the employee's restrictions.

#### IV. Prescribed Medication

- A. The use of drugs/medicine prescribed by a licensed medical practitioner will be permitted provided that it will not and in fact does not affect work performance, nor will it impair the employee's ability to safely operate equipment or machinery. The City reserves the right to have a licensed medical practitioner who is familiar with the employee's medical history and assigned duties determine if use of the prescription drug will produce effects which will increase the risk of injury to the employee or others while working. If such a finding is made, the City may limit or suspend the work activity of the employee during the period that the licensed medical practitioner advises that the employee's ability to perform his or her job safely may be adversely affected by such medication. Any employee who has been informed by his/her licensed medical practitioner that the prescription drug could cause adverse side effects while working must inform his/her supervisor prior to using the medication on the job.
- B. Employees must not consume prescribed drugs more often than as prescribed by the employee's licensed medical practitioner and they must not allow any other person to consume the prescribed drug.

#### V. Discipline

- A. Any employee who possesses, distributes, sells, attempts to sell, or transfers illegal drugs on the City of Meridian's premises or while on City business or at any other time that becomes known to the City will be subject to discipline up to and including termination.
- B. Any employee who is found to be in possession of or under the influence of alcohol in the workplace or during work hours in violation of these procedures and will be subject to disciplinary action up to and including termination.
- C. Any employee who is found in possession of drug paraphernalia in violation with these procedures and will be subject to disciplinary action up to and including termination.
- D. Any employee who is found through alcohol or drug testing to have in his or her body system a detectable amount of alcohol or an illegal drug as defined by these procedures will be subject to disciplinary action up to and including termination.

Employees voluntarily participating in an alcohol/drug rehabilitation program recommended by the Employee Assistance Program will not be subject to discipline for participation in the program. If the employee is required to participate in an alcohol and/or drug program the Employee Assistance Program will notify Human Resources when an employee has completed to rehabilitation program. Prior to returning back to work an employee must have a negative test result and after an employee returns to work, he/she will be subject to unannounced drug and alcohol testing for a period of six (6) months. A single positive test result or failure to successfully complete the recommended rehabilitation program will be grounds for disciplinary action up to and including termination.

- E. Any employee who refuses to submit to an alcohol or drug test under the terms of this policy will be subject to disciplinary action up to and including termination.
- F. Employees who are required to participate in the City's Employee Assistance Program (EAP) will be subject to termination for the following policy violations:
  - 1. Failure to contact the EAP within five (5) working days after notification of a positive result.
  - 2. Refusal or unexcused failure to participate in counseling or the EAP program.
  - 3. Abandonment of a treatment program prior to completion and being released.
- G. If the employee is not a part of the City's random pool for testing; after completion of the prescribed program the employee shall be placed in the City Random Pool for testing for one (1) year.

#### VI. Employee Assistance Program (EAP) & Self-Referral

- A. The City recognizes that alcohol and chemical dependency are highly complex problems that can be successfully treated. Any employee needing help in dealing with these problems is encouraged to use City's EAP program and the benefits available through the City's medical plan. The Human Resources Department has brochures and cards on the EAP program and on the Human Resources Intranet page under Benefits.
- B. Self-Referral
  - 1. Rehabilitation assistance in lieu of discharge may be offered.
  - 2. Any employee, who identifies him/herself to have an alcohol or drug problem, provided that the request is made prior to violation of the City's alcohol and drug policy, and who self-refer to the EAP program, will not be subject to disciplinary action for voluntarily requesting help due to alcohol and/or drug problems. A request for rehabilitation may not be made in order to avoid the consequences of a positive alcohol or drug test result or to avoid taking an alcohol or drug test when requested to do so under the terms of these procedures.
  - 3. An employee who is in rehabilitation or who has completed rehabilitation will be allowed to return to work upon presentation of a written release signed by a

licensed medical practitioner or recognized rehabilitation professional. An employee returning to work after treatment may return to work after taking and passing an alcohol and/or drug test. Employees who undergo a counseling or rehabilitation program will be subject to unannounced testing following completion of such a program for a period of six (6) months.

4. Employees who are referred to outpatient and/or in-patient alcohol or drug rehabilitation will be expected to do so at their own expense, (with the exception of those expenses covered by the City's health insurance program) on their own time or during a leave of absence, that may be covered under the Family Medical Leave Act (FMLA) or during a non-paid leave of absence approved by the City.
5. Affected employees shall, whenever possible, schedule outpatient rehabilitation treatment during times that will not conflict with the employee's work schedule, provided however, employees will be allowed to use vacation or sick leave, or unpaid leave, if outpatient rehabilitation treatment cannot be scheduled other than during their regular work schedule.
6. If an employee's job is a Safety Sensitive Position as designated above or requires driving a City vehicle, Human Resources may consult with the City Attorney regarding authorization to continue with all job duties while in an EAP counseling or rehabilitation program during their regular work schedule.

C. Involuntary Referral

When an employee tests positive for alcohol or drug use the first time (or is identified as being under the influence of alcohol or drugs at work) as identified in the City's Alcohol and Drug policy and procedures the employee may be sent to the City's EAP program for assessment, and treatment planning. Subsequent failures may be considered cause for termination.

## VII. Education

A. Supervisors and other management personnel will be informed of:

1. Overall City policy;
2. EAP program intervention, procedures, and supervisor's role;
3. Documentation of employee performance and behavior.

B. Employees will be informed of:

1. The health and safety dangers associated with alcohol and drug use;
2. The provisions of this policy and procedures through employee meetings and employee orientation.

## VIII. Testing Procedures

A. Pre-Employment Testing

1. All applicants for safety sensitive positions shall be given a conditional offer of employment and will be required to submit to testing for the presence of

alcohol and illegal drugs. The offer of employment is contingent upon a negative alcohol and drug test result. A conditional offer of employment will be rescinded for any applicant who tests positive for the presence of alcohol and/or illegal drugs. No application for employment may be accepted for the individual for one (1) year following a positive test.

2. An applicant will be notified of the City of Meridian's alcohol and drug testing policy prior to being tested; will be informed in writing of his or her right to refuse to undergo such testing; and will be informed that the consequence of refusal is termination of the pre-employment process.

B. Reasonable Belief Testing

1. An employee will be tested for alcohol and illegal drugs, or the abuse of prescription medication, when the employee manifests "reasonable belief" behavior that would endanger his/her well-being, as well as the safety of fellow employees or the general public. The basis of suspicion of alcohol or drug abuse may be a specific, contemporaneous event, or conduct-evidencing impairment observed over a period of time.
2. An employee who is tested in a "reasonable belief" situation will be put on administrative leave with pay pending receipt of written test results and whatever inquiries may be required.

C. Post-Accident Testing

1. Any employee involved in a work-related accident will be tested for the use of alcohol and illegal drugs, as soon as possible after the accident, preferably within four (4) hours. Examples of conditions that will require an employee to take an alcohol and drug test include, but are not limited to, accidents, that result in:
  - a. A fatality, personal injury, or injury to another person requiring transport for medical treatment away from the site of the accident;
  - b. Damage to equipment or property owned by the City, or by a third party, that is estimated to exceed \$1500.
  - c. Damage to a City vehicle that is estimated to exceed \$1500.
2. An employee who is seriously injured and cannot provide a specimen for testing will be required to authorize the release of relevant hospital reports, or other documentation, that would indicate whether there were alcohol or drugs in his/her system at the time of the accident. Any employee required to be tested under this section must remain readily available for such testing and the employee may not consume any alcohol or illegal drugs.
3. If it is determined by management that an employee's accident was caused by the actions of another, and that there were no unsafe acts on the part of the employee, the City reserves the right to waive post-accident testing of the employee. Employees who are involved in a work-related accident requiring medical treatment are to immediately inform their supervisor of the accident,

so that any needed alcohol or drug testing may be promptly conducted in conjunction with their medical treatment.

D. Random Testing

Employees in Safety Sensitive positions will be subject to random alcohol and drug testing.

1. Random tests will be unannounced and occur throughout the calendar year. Random selections will be made by a scientifically valid method that will result in each employee having an equal chance of being tested each time selections are made. The Human Resources Director, or designee will notify the individual's supervisor and the individual selected for random testing on the same day the test is scheduled. The supervisor will be notified within two hours of the scheduled testing and the employee will be notified immediately preceding the scheduled testing. Upon notification, the employee shall proceed immediately to the testing site and at the City's discretion; employees may be transported or escorted to the testing site.
2. The annual number of random tests will be no more than fifteen percent (15%) of the average number of employees subject to random testing for alcohol and illegal drugs.
3. In implementing the program of random testing, the City shall evaluate periodically whether the numbers of employees tested and the frequency with which those tests will be administered satisfies the City goal of achieving a drug-free work force.

E. CDL Testing

In compliance with the Department of Transportation (DOT) ruling 49 CFR parts 40 and 382, pre-employment, random, reasonable belief, and post-accident drug and alcohol testing shall be required for employees in positions that require a Commercial Driver's License.

IX. Drug/Alcohol Specimen Collection/Testing Procedures

A. Specimen Collection Procedures

1. When a prospective or current employee is notified that he/she is to submit to alcohol and drug testing he/she will be given instructions regarding where and when to report for tests, or at the City's discretion an employee may be transported or escorted to the place of collection. A collection specialist who has been trained in collection procedures will conduct all specimen collections. Testing will be done in accordance with approved collection procedures.
2. All specimens will be tested for the presence of alcohol and illegal drugs. All specimens tested for illegal drugs will be done by urine analysis. Alcohol testing will be done by a Breath Alcohol Technician (BAT) employed by the collection facility that is trained in operation of an evidential breath-testing device (EBT). If an individual is unable to take a breath-test due to a medical



condition then a blood test will be administered.

B. Adulteration or Submission of Concealed Specimen

1. If during the collection procedure, the collection monitor detects an effort by the prospective employee or an employee to adulterate or substitute a specimen, a second specimen will be requested. If a second specimen is provided, both will be tested. If the second specimen is refused, the collection monitor will inform the Human Resources Director, or designee that the donor refused to submit a true specimen. Such substantiated conduct will be considered equivalent to testing positive and the prospective employee will not be offered employment or a present employee will be terminated from further employment with the City.
2. In the event that a prospective or current employee submits a specimen that the laboratory later identifies as a diluted specimen, the City will advise the prospective or current employee of that finding and request that he/she submit a second specimen. Such donors will be advised by the City not to drink any fluids prior to the test.

C. Testing and Confirmation

1. The cut-off levels for all Non-DOT testing is as follows:

<u>Drug Class</u>	<u>Screening</u>	<u>Confirmation</u>
Amphetamine Family	1000 ng/ml	500 ng/ml
Cocaine	300 ng/ml	150 ng/ml
Phencyclidine (PCP)	25 ng/ml	25 ng/ml
Marijuana	50 ng/ml	15 ng/ml
Opiates	2000 ng/ml	26 ng/ml

2. The cut-off for alcohol concentrative will be on two levels. Any employee, who tests above a level of 0.02 BAC and up to 0.039 BAC may be subject to disciplinary action, will not be allowed to work for at least 24 hours and must have a negative test result before returning to work. Any employee who tests at or above 0.04 BAC is considered to have tested positive and is considered to be under the influence of alcohol. Positive alcohol tests resulting from the breath test will include a confirmatory breath test conducted no later the fifteen (15) minutes after the initial test; or the use of any other confirmatory test can be used that demonstrates a higher degree of reliability.
3. Any specimen that screens positive for the presence of illegal drugs will be confirmed by the Gas Chromatography/Mass Spectrometry (GC/MS) confirmation method. Any employee who tests positive for illegal drugs or prescription medication may request to obtain an independent test using the remaining portion of the urine specimen that yielded the positive result. The retest is at the applicant's or employee's own expense (unless those expenses are covered by the City insurance program). This request must be conveyed to the MRO within 48 hours of the employee being notified of the positive test result.

4. During the time the second test is being conducted, the pre-employment selection process for an applicant will be placed on hold. An employee already working for the City will not be allowed to work. If the retest reverses the positive result, the City shall reimburse the cost of the retest and any loss of compensation and benefits, that is incurred as a result of the initial positive test results. The City will have no liability to any employee for errors or inaccurate test results.

#### X. Test Result Notification

- A. All results received from the laboratory will be forwarded to the office of the accredited collection agency for the purpose of their providing medical review officer services. When a test shows a positive test result the employee or applicant will be contacted by the Medical Review Officer (MRO) and will be given the opportunity to provide an explanation for the positive result. The MRO may choose to conduct employee medical interviews, review employee medical history, or review any other relevant biomedical factors. After the employee has been provided an opportunity to consult with the MRO and the MRO determines that the test is positive the City will be notified. The collection agency will only report results to the Human Resource Director or designee.
- B. Any employee who is taking a prescription drug that may have been the cause of a positive test result will be asked to provide the name of the medication and the identity of the prescribing physician for verification. If the MRO determines that the positive test result was due to authorized use of prescription medication, he/she will immediately report a negative finding to the Human Resources Director or designee and no further action will be taken. However, if an employee cannot provide a reasonable explanation for his/her positive test result, and the MRO finds no reason to doubt the validity of the positive test, the Human Resources Director or designee will be notified of the positive test result and disciplinary action will be taken consistent with the terms of these procedures.

#### XI. Refusal

Any employee who refuses to be tested, or fails to provide a specimen or information as directed under the terms of this procedures, will be subject to disciplinary action up to and including termination.

#### XII. Effect of Testing Positive

- A. Any prospective employee who tests positive for alcohol or illegal drugs will not be offered employment. Any introductory, temporary, or seasonal employee who tests positive for illegal drugs or alcohol will be terminated.
- B. Any other employee who tests positive for alcohol or illegal drugs, will be subject to disciplinary action consistent with the terms of these procedures. (Refer to the disciplinary section of this policy).

#### XIII. Confidentiality

All information relating to drug or alcohol testing or the identification of persons as users of alcohol and drugs will be protected by the City as confidential and given out on a need to know basis, unless otherwise required by law, over-riding public health and safety concerns, or authorized in writing by the person in question.

#### XIV. Conclusion

The terms of these alcohol/drug free workplace procedures are intended to achieve a work environment where employees are free from the effects of alcohol and/or drugs. Employees should be aware that the provisions of these procedures may be revised when necessary. The City anticipates that by implementing an alcohol and drug free workplace policy and procedures, its employees will enjoy benefits of working in a safer, more secure, and more productive work environment. The City also anticipates that the provisions of these procedures will help maintain and promote the health, welfare, and safety of the general public.



City of Meridian
Standard Operating Procedure
Number 7.2

## Use of Nicotine or Tobacco Products

### Purpose:

To set forth the City's procedures regarding the use of nicotine or tobacco products, real or simulated, by employees, on City property during work hours.

### Procedures and Related Information:

#### I. Definitions

Real or simulated nicotine and tobacco products include, but are not limited to, cigarettes, cigars, pipes, snuff, and chewing tobacco, electronic cigarettes (or e-cigarettes), personal vaporizers (PVs), or electronic nicotine delivery systems (ENDS).

##### A. City property includes, but is not limited to:

1. Buildings owned or managed by the City, including within twenty (20) feet of such buildings; provided that this prohibition shall not apply to city-owned parking lots.
2. Vehicles owned or leased by the City; and
3. Land and parks, whether developed or undeveloped, owned by the City.

##### B. Work hours are defined as the employee's regular work schedule, including breaks, any overtime and/or extra shifts, and any time the employee is acting within the course and scope of the employee's duties. Work hours do not include an unpaid lunch break.

#### II. Employees are prohibited from using nicotine or tobacco products during work hours, on City property, as defined in these procedures.

#### III. Exceptions

These procedures and the related policy do not restrict employee use of products prescribed or recommended by a health care provider as part of a smoking or tobacco cessation program, so long as use of such products during work hours occurs in public smoking areas only. This exception shall only apply for sixty (60) days after providing notice to Human Resources at the beginning of the program or until program completion occurs, whichever is shorter.



City of Meridian
Standard Operating Procedures
Number 7.3

## **Workplace Violence**

### **Purpose:**

To set forth the City's procedures prohibiting violence in the workplace by all employees, supervisors, elected or appointed officials, and members of the public.

### **Procedures and Related Information:**

- I. The City of Meridian strives to maintain a work environment free from intimidation, threats, or violent acts. Intimidating, threatening or hostile behaviors, physical abuse, vandalism, arson, sabotage, and unauthorized possession or inappropriate use of firearms, weapons, or any other dangerous devices on City property is prohibited.
  - A. Some employees of the City may be required, as a condition of their work assignment, to possess firearms, weapons, or other dangerous devices, or are permitted to carry them as authorized by law. It is the City's policy that employees are to use them only in accordance with departmental operating procedures and all applicable state and federal laws.
  - B. Some employees of the City may have a concealed weapon permit and desire to carry the weapon with them into the workplace. In these instances, employees shall keep the weapon in their possession or out of sight and in a secure location where others cannot access it. Employees shall not display or brandish the weapon or allow others to handle it in the workplace.
  - C. While open carry is legal in Idaho, employees shall keep any weapon brought to the workplace in their possession or out of sight and in a secure location where others cannot access it. Employees shall not brandish the weapon or allow others to handle it in the workplace.
  - D. Failure to comply with these procedures may be grounds for disciplinary action, up to and including termination.
- II. Employees who feel they have been subjected to any of the behaviors listed or who observe or have knowledge of any violation of these procedures should immediately report it to their supervisor, department director, or the Human Resources Director or designee. All reports will be investigated and disciplinary action taken, if appropriate.
- III. The City reserves the right anytime, anywhere without notice to conduct searches and inspections of employees' personal effects or City-provided equipment, vehicles, offices, desks, cabinets, lockers, computer files, emails, or any other City owned property. Any illegal and

unauthorized articles discovered may be taken into custody and may be turned over to law enforcement representatives.

- IV. Any employee who violates these procedures, refuses to submit to a search, or is found in possession of prohibited articles will be subject to disciplinary action, up to and including termination of employment.



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## **Criminal Charges**

### **Purpose:**

To set forth the City's procedures for employees who incur criminal charges.

### **Procedures and Related Information:**

- I. Any City employee who is charged with a misdemeanor or felony must report the charge immediately to his/her department director or supervisor. The employee may be subject to disciplinary action up to and including termination should the charge interfere with the employee's ability to perform his/her duties, create a conflict of interest, or compromise the best interest of the City, all of which will be determined solely by the department director or designee and the Human Resources Director or designee. The employee may be suspended from work pending outcome of the leadership decision and/or legal process.
- II. Failure to inform the City subjects the employee to disciplinary action up to and including termination.
- III. If an employee is convicted of a crime, whether misdemeanor or felony, that impacts his/her ability to meet the essential functions of his/her position or that creates a conflict of interest or that compromises the best interests of the City, all of which will be determined solely by the department director or designee and the Human Resources Director or designee, the employee may be subject to disciplinary action up to and including termination.



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**CHANGES TO THESES PROCEDURES REQUIRE COUNCIL APPROVAL**

**Standards of Conduct**

**Purpose:**

To set forth the City's procedures regarding standards of conduct and behavior to be followed by all City employees, appointed officials, and elected officials ("employees").

**Procedures and Related Information:**

- I. Standards of Conduct
  - A. The ability to provide excellent service to the public and to maintain good community relations depends on the City's employees. As an integral member of the City's workforce, each employee is expected to:
    1. Conduct themselves in a professional and courteous manner at all times;
    2. Accept and carry out responsibilities in the most effective and efficient way possible;
    3. Adhere to acceptable professional principles in matters of personal conduct; and
    4. Exhibit a high degree of integrity at all times.
  - B. The City has outlined basic standards of conduct to assist each employee in understanding his/her responsibility as a City employee. These standards are provided as an example of appropriate conduct, and are not meant to be all-inclusive.
  - C. Violation of these procedures may result in disciplinary action, up to and including termination. The list below are non-exclusive examples of conduct.
- II. Expectations

Each employee is expected to, at minimum:

  - A. Abide by all departmental rules whether they be written or issued orally by the supervisor. No employee shall be required to follow the directive of a supervisor, which violates laws of the City, the State, or the Nation.
  - B. Adhere to the State of Idaho's Code of Ethics sections 18-1351 through 18-1362; The Prohibition Against Contract with Officers Act sections 59-201-209; and the Ethics in Government Act sections 59-701 through 59-705 and any other state statutes that govern City government.
  - C. Perform assigned tasks efficiently and effectively, and in accordance with expected standards of performance.



- D. Report for work on time.
- E. Provide proper advance notice whenever unable to work or report to work on time.
- F. Report any illness or disability or medication that may adversely affect job performance.
- G. Keep confidential information private and avoid discussing it with anyone other than appropriate City staff members. Confidentiality is critical to maintaining the respect and dignity of co-workers, employees, and the public.
- H. Keep work environment clean and orderly. Before departing at the end of the workday, check to see if doors and files have been locked, and clear from desks or tables any documents of a sensitive or confidential nature.
- I. Put forth your best efforts to work in harmony with co-workers, employees, and the public.
- J. Extend courtesy, respect, and consideration to all co-workers, employees, and members of the public. Respect and promote the unique individuality of each co-worker, manager, and citizen, and refrain from discriminating or stereotyping on the basis of legally protected classes including, but not limited to, gender, race, sex, age, national origin, religion, or disability.
- K. Avoid conflicts of interest or use public position for personal gain.
- L. Comply with all City safety rules and regulations.
- M. Exercise maximum care and good judgement at all times to prevent accidents and injuries.
- N. Report as soon as possible work-related injuries and illnesses, regardless of their extent or nature, unsafe working conditions, and the need for maintenance or repair of vehicles or equipment.
- O. Recognize and understand that employees will be held accountable for damage to or loss of funds or property for which you are responsible. When the loss is due to negligence or carelessness, employees may be required to replace or pay for the items lost or damaged.
- P. Recognize and understand that the City is not normally responsible or accountable for loss or theft of personal property of employees.
- Q. Obtain specific written permission from a supervisor before removing City property from the premises.
- R. Maintain a current driver's license when necessary to meet the qualifications for the position.
- S. Do not engage in conduct away from work that, although not criminal, may reflect adversely upon the City.
- T. Recognize and understand that the City expressly prohibits any acts or threats of violence by any City employee or former employee against any other employee in or about City facilities or elsewhere at any time.
- U. Report any arrests or misdemeanor or felony charges that occur during employment. The City will review each situation based on its own merit, but may take appropriate disciplinary action when necessary.
- V. Do not report to work or work while under the influence of alcohol or drugs.
- W. Comply with standards of dress, which are set by each department director.



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## **Prohibited Activities in Workplace Conduct**

### **Purpose:**

To set for the City's procedures regarding, activities and behavior that are inappropriate and prohibited within the workplace by all employees, appointed officials, and elected officials ("employees").

### **Procedures and Related Information:**

- I. While not all-inclusive, the following list provides examples of unacceptable conduct or performance that may result in disciplinary action, up to and including immediate termination. This list includes, but is not limited to:
  - A. Violation of or failing to follow safety standards.
  - B. Showing up for work or being under the influence of, using, or possessing illegal drugs, controlled substances or alcohol, while performing City business, on City time or premises.
  - C. Bringing or possessing unauthorized firearms, weapons, explosives, or similar items on City property.
  - D. Plea of or finding guilt, conviction of official misconduct in office, or conviction of a crime that reflects negatively on the employee's ability to perform the job or on the City as an employer.
  - E. Insubordination, including improper conduct toward a supervisor or refusal to do work as assigned without proper justification.
  - F. Discriminate in the treatment of co-workers or members of the public on the basis of legally protected classes, including, but not limited to, sex, race, religion, gender, age, national origin, or disability.
  - G. Fighting, provoking a fight, or threatening physical violence toward another employee or member of the public while on duty, or performing City business or representing oneself as a City employee.
  - H. Engaging in malicious gossip or rumors about other employees, management, or City leaders.
  - I. Engaging in abusive treatment (physical, verbal, email, text, or any other electronic means) of others.
  - J. Making degrading comments about a person of his/her appearance.
  - K. Teasing, kidding, touching, or telling jokes that may be perceived as inappropriate or offensive.
  - L. Providing false or misleading information on employment applications, job performance reports, or any other related personnel documents or papers.
  - M. Misusing, abusing, destroying or damaging City property or equipment.
  - N. Failing to report a job injury or accident; making false claims or inaccurate statements in the reporting of an injury or accident.

- O. Tardiness, absenteeism, job abandonment, unexcused or unauthorized absence or leave from work.
  - P. Abusing of benefit offerings by taking unjustified or unearned sick leave, vacation leave, or otherwise participate in a scheme or deception to create incorrect records or to claim benefits, which are not deserved in accordance with City policy.
  - Q. Using work time for personal business including selling of good or services to the general public, or preaching religious or political views to members of the public or other employees during work hours.
  - R. Altering, falsifying, or destroying time-keeping records or other City records.
  - S. Unauthorized disclosure of confidential information from City records.
  - T. Using position and/or public office or position to obtain personal or financial gain or accepting valuable gifts in exchange for influence or favors given as a City employee.
  - U. Inability to perform the essential functions of the position after reasonable accommodation has been offered and/or made.
  - V. Unlawful discrimination and/or harassment of other employees.
  - W. Unsatisfactory performance, including unwillingness or inability to get along with co-workers.
  - X. Failure to comply with or disregard of employment-related rules, policies, and prohibitions.
  - Y. Failure to abide by department rules and City of Meridian policies concerning dissemination of information to the public from public records or about public matters. The decision to release information from the public records or to disclose writings or other information in the hands of a public official belongs with the City Clerk's office who has official custody of City records. Each employee shall maintain the confidential nature of records, which are not open to public scrutiny in accordance with the direction of the responsible official.
  - Z. Failure to maintain a current driver's license when necessary in the conduct of work for the City. Each employee is obligated to report any state-imposed driving restrictions to his/her immediate supervisor and to notify his/her supervisor in the event that his/her driving abilities are impaired by other than state restrictions. (Refer to the City's drug-free workplace policy and testing policy for more information, or contact the Human Resources Department).
  - AA. Engaging in abusive conduct to fellow employees or the public, or use abusive language in the presence of fellow employees or the public. Abusive language shall include profanity and loud or harassing speech.
- II. The City will attempt to address concerns and complaints of employees in a timely and reasonable manner. If employees are concerned about work-related issues, they may and should discuss these concerns with their supervisor, department director, and the Human Resources Director or their designees. Concerns specifically related to harassment, discrimination, and unethical behavior may also be reported through the City's Compliance and Ethics Helpline or to the Mayor.



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## Recycling

### Purpose:

To set forth the City's procedures regarding recycling efforts by City employees.

### Procedures and Related Information:

- I. Employees should follow the City's waste hauler's guidelines for recycling when disposing of potentially recyclable materials (cardboard, paper, certain plastics, and aluminum-tin cans).
- II. Departments will coordinate with maintenance to place at least one recycling bin in a common area for employees' use.
- III. There will be a larger recycling bin also located by maintenance in a common area in the basement of City Hall.
- IV. Questions regarding disposal or recycling options for materials or assets owned by the City should be addressed with Finance. Questions regarding options for disposal or recycling of computers should be addressed with IT.
- V. Employees are prohibited from removing items from the recycling bins for personal gain. Questions should be addressed to the City Attorney or designee.
- VI. Employees must obtain City Attorney or designee approval prior to removing items from the recycling bins for non-profit use.