

Chapter 7: Work Environment and Workplace Safety

7.01 General Policy

The City strives to provide employees with a productive work environment that is free of recognized hazards that could cause accidents and injuries. The city wants and expects you to perform your job in the safest way possible. This policy provides workplace requirements to help in the reduction of accidents and injuries and provides guidelines in preventing workplace hazards. Departments are responsible for maintaining and providing additional safety procedures related to specific job responsibilities. These safety procedures will be provided to employees by their supervisor or department safety representative.

The City Health and Safety Committee is responsible for planning and promoting health and safety awareness and prevention programs for city employees. The Safety Committee roles, responsibilities and information regarding the city's budgeted safety incentive program can be reviewed in the Appendix of this policy Manual.

7.02 Smoke Free Workplace

In keeping with the City's intent to provide a safe and healthful work environment, and to protect and promote public health, safety and welfare of employees, it is necessary to regulate smoking and the use of tobacco products in City facilities and City vehicles. Therefore no person or employee shall smoke or use tobacco products in City facilities or City vehicles or within entrances to City facilities according to regulations set forth in city ordinances. This also includes the prohibition of the use of electronic cigarettes (E-cigarettes) or any other similar device or item that produces vapor, steam or smoke in City facilities or within the entrances to City facilities as set forth in city ordinances. If there is a designated smoking area near the City buildings, the employees are required to use this area during approved smoke breaks. No employee will use tobacco products while making public contact.

7.03 Drug Free Workplace

The City strictly prohibits the unauthorized use, sale, purchase, possession, distribution, dispensation, manufacture or transfer of controlled substances (including medical marijuana), as that term is defined by applicable state and federal laws, while on or in City property or other work sites where employees may be assigned, in City owned vehicles, in or on City equipment and machinery, or in personal vehicles while conducting City business.

Employees, volunteers, or contract instructors who receive a suspended driver's license due to a drug or alcohol related arrest is responsible for notifying their supervisor immediately. An employee, volunteer or contract instructor convicted of violations related to controlled

substances under state and federal law or who plead guilty or no contest to such charges must inform the City Manager's Office and the Department Head within five (5) days of such conviction or plea. Employees who operate City vehicles or equipment and receive a conviction for a DWI or DUID shall be terminated.

Any employee who receives a conviction with a suspended license will be subject to disciplinary action, up to and including termination. Any volunteer found in violation of this policy will be released from volunteer service with the City.

7.04 Substance Abuse and Testing

7.04.01 Policy, Purpose, and Scope

In accordance with the City's commitment to a Drug Free Workplace as outlined in the City's Personnel Policy Manual, this safety policy provides guidelines for substance abuse testing at the City of Port Lavaca in order to maintain a safe and productive work environment for employees.

The City of Port Lavaca maintains a firm commitment to provide a safe work environment free from the effects of illegal drugs and alcohol as well as the abuse of legal/prescription drugs. It is a violation of this policy to refuse to consent to testing or to test positive for alcohol or illegal drugs. Violations of this policy will result in severe disciplinary action, up to and including termination of employment.

This policy applies to all city employees and other individuals who perform work for the City.

The City has a zero-tolerance policy regarding positive drug screens, including marijuana. With the increased prevalence of CBD Oil, employees need to consider that in some rare instances CBD Oil use might lead to a positive drug test, and potential loss of employment. While CBD Oil is legal, it can possibly result in a positive drug screen, which violates City policy and is subject to termination.

7.04.02 General Provisions

1. Prohibition of Personal Use

Employees shall not use, have present in their body or on their person alcohol, illegal drugs, intoxicants or any other prohibited substances when reporting to work or while on duty. Employees shall not be under the influence of or have the odor on their breath or clothes of alcohol, illegal drugs, intoxicants or any other prohibited substance when they report to work or while on duty. Employees shall not have alcohol, illegal drugs, intoxicants or any other prohibited substances in city vehicles or equipment or on city premises.