

RESOLUTION 2000-456

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, REVISING THE DRUG AND ALCOHOL POLICY AND WORK RULES IN THE PERSONNEL HANDBOOK

WHEREAS, the Town Council adopted a Personnel Handbook at its regular meeting of November 15, 1995, including Work Rules (Section 12) and Drug and Alcohol Policy (Section 11), and

WHEREAS, Section 1 of the Handbook reserves the right to amend, change, or discontinue its use, with appropriate notice to Town employees, and

WHEREAS, the Town Manager, in consultation with department heads and staff, has recommend amendment of the drug and alcohol policy, and the Town Council has expanded work rules in Resolution 2000-433 adopting good government practices,

NOW THEREFORE THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE RESOLVE AS FOLLOWS:

1. *Drug and Alcohol Policy Additions.* The following sections are added under (a) of Section 11:
 - *(iv) Due to special requirements of law enforcement, the Marshal's Office may establish procedures which are more restrictive than those contained in Section 11 of the Personnel Handbook*
 - *(v) In an effort to encourage employees to seek treatment for drug and alcohol abuse problems, there is hereby established an employee assistance procedure as follows:*
 1. *Nothing in this policy will be deemed to confer any type of protected status on an employee or require the Town to proceed in any manner not deemed in the best interests of the Town, unless otherwise required by applicable State or Federal law.*
 2. *An employee must request to participate in this procedure through their Department Head prior to the employee committing an act in violation of the Town drug policy as set forth in the Personnel Manual to be considered for accommodation in an assistance program. The Department Head will determine if an employee is*

approved for use of these policies. A negative decision by a Department Head may be appealed to the Town Manager.

3. *The employee, at their expense, will enter and complete a substance abuse screening program approved by the Town.*
 4. *Upon a positive recommendation by the screening program counselor, as part of the screening process or a follow-up counseling program, the Department Head may approve an accommodated work schedule for the employee. An accommodated work schedule may include temporary reassignment of duties, flexible work hours, and other reasonable accommodations to assist the employee in successfully completing a treatment program approved by the Town at the employee's expense.*
 5. *Upon completion of the treatment program and a positive recommendation by the substance abuse counselor, the Department Head may approve the employee be returned to normal work status following a successful drug test*
 6. *The Town reserves the right to require random drug testing during the treatment period, and up to 6 months after return to normal work status.*
 7. *Failure to complete a treatment program, or to take and pass any required drug test, will be grounds for dismissal.*
- *(vi) To protect the public and other employees, the Town reserves the right to require random drug testing of employees arrested or cited for violations of drug or alcohol laws, regardless of the time or location of such alleged violations. The Town may, on a temporary basis, reassign employee duties while such allegations are adjudicated.*
 - *(vii) Final conviction of a felony or misdemeanor involving moral turpitude will include, but not be limited to, conviction, a plea of no contest, or a plea of guilty in a plea bargain, regardless of any appeal, possibility of expungement of the record, or reduction in sentence or designation of the crime on completion of probation, on any drug offense, or any felony alcohol offense.*
2. *Work Rules Additions.* *The following provisions are added to Section 12 (Work Rules) of the Personnel Handbook:*
 - *Conviction, a plea of no contest, a plea of guilty, or a plea bargain, regardless of the possibility of future reduction or expungement of a crime involving conduct prohibited under this*

section will constitute a presumption that the work rule has been violated

- *All the conduct set forth in Resolution 2000-433 adopting good government practices*
- *Loss of any required license or certification for the job*

3. Copies of this resolution shall be distributed to all departments for filing with the Personnel Handbook, and the amendments shall be effective immediately.

PASSED AND APPROVED *by a majority vote of the Common Council at the regular meeting of October 4th, 2000:*

Barbara Miller
Barbara Miller, Mayor

Attest:

Debbie Barber
Debbie Barber, Town Clerk

Approved as to form:
Ronald C. Ramsey
Ronald C. Ramsey, Town Attorney