



Town of Hubbardston

7 MAIN STREET
HUBBARDSTON, MASSACHUSETTS 01452
(978) 928-1400 FAX (978) 928-3392

DRUG AND ALCOHOL-FREE WORKPLACE POLICY

I. PURPOSE

This Policy outlines prohibited conduct with respect to controlled substances, marijuana, and alcohol. This Policy complies with the Town of Hubbardston's obligations under the Federal Drug-Free Workplace Act, 41 U.S.C. § 8101, et seq.

II. APPLICATION

This Policy applies to all employees of Hubbardston. Employees whose employment is governed by a collective bargaining agreement are subject only to those provisions of this Policy not specifically regulated by law or agreement.

III. POLICY

It is the Policy of Hubbardston to provide employees with a working environment that is free of the problems associated with the use and abuse of alcohol, marijuana, and controlled substances. The use of alcohol, marijuana, or controlled substances is inconsistent with the behavior expected of employees and subjects Hubbardston to unacceptable risk of workplace accidents or other failures that would undermine Hubbardston's ability to operate effectively and efficiently. Although certain uses of marijuana have been legalized in the Commonwealth of Massachusetts, this policy and the following procedures expressly apply to marijuana use.

IV. PROCEDURES

A. The following is prohibited:

1. Off-Duty: Any use, sale, possession, distribution, dispensation, manufacture, or transfer of controlled substances or marijuana, except, in the case of marijuana, where authorized by Massachusetts law.

2. On Duty: Any consumption of controlled substances, marijuana (with or without prescription) or alcohol, whether on or off Hubbardston's property, or at any other worksite where employees may be assigned, or elsewhere during work hours.

3. The use of controlled substances or marijuana (with or without a prescription), or any use of alcohol on non-working time, to the extent that such use: (i) impairs an employee's ability to perform the employee's job; (ii) adversely impacts the safety of the employee or others; (iii) or affects the reputation of Hubbardston to the general public or otherwise threatens its integrity.

B. Employees who are convicted of substance-related violations under state or federal law outside of the workplace, including alcohol or marijuana related violations, or who plead guilty or nolo contendere to such charges, must inform their department head or appointing authority within five (5) days of such conviction or plea. Department heads or appointing authorities shall immediately notify the Town Administrator.

C. Employees who are convicted or who plead guilty or nolo contendere to such drug-related violations, or are found to have consumed or be impaired by controlled substances, marijuana or alcohol while on-duty, may be required to successfully complete a substance abuse or similar program as a condition of continued employment or re-employment with Hubbardston.

D. All employees must sign a statement acknowledging that they have been informed of the rules and requirements of the Drug-Free Workplace Act.

V. EMPLOYEE ASSISTANCE PROGRAM

Hubbardston recognizes drug and alcohol dependency as an illness and a major public health problem. To that end, Hubbardston encourages affected individuals to voluntarily seek medical help. Employees who wish to obtain help in dealing with such problems may contact Hubbardston's Town Administrator for a referral to Hubbardston's Employee Assistance Program. Hubbardston may independently refer an employee to the Employee Assistance Program or other substance use/abuse counseling agency or program for help, particularly where there is a pattern of deteriorating job performance or excessive absenteeism of the employee associated with substance use/abuse.

VI. SANCTIONS

Substance use/abuse, however, does not relieve an employee of job performance standards and obligations. Violations of any and all provisions of this Policy may result in disciplinary action, up to and including termination from employment.

**Recipients of federal funds are required to adopt a drug-free workplace policy