

Policy Title: Tobacco, Drugs and Alcohol-Free Workplace	
Policy Owner: Director of PTT Policy Originated by: PTT	Date Written:
Applicable Programs: All	Date Reviewed and Approved by PLT: 02/17/15, 04/21/15, 10/20/15, 2/26/20, 2/9/22, 4/12/23
Statutory or Regulatory Citation: Minn. Stat. 245A.04, subd. 1(c) and 14	Signature if needed:

Policy: St. David's Center has a longstanding commitment to provide a safe and productive work environment. Alcohol and drug abuse pose a threat to the health and safety of employees and to the security of our equipment and facilities. It is the policy of St. David's Center to support a workplace free from the effects of drugs, alcohol, chemicals, and abuse of prescription medications. This policy applies to all employees, subcontractors, interns, and volunteers.

Procedure:

St. David's Center considers violation of this policy as failure to meet performance expectations and will follow the Performance Evaluations and Progressive Disciplinary Process and/or Employee Assistance Program Policy to address the performance issue.

1. Use of Tobacco

- A. St. David's Center Minnetonka campus is a tobacco free campus. Tobacco products include smoking, electronic cigarettes, chewing or using snuff.
 - i. Minnetonka campus includes all land, buildings, structures, parking lots and means of transportation owned by St. David's Center.
- B. St. David's Center also prohibits the use of tobacco in any form while on duty in the community (including home, community and residential settings) as a representative of St. David's Center. This includes employees attending meetings or conferences outside of St. David's Center as a representative of the organization.

2. Possession and Use of Controlled Substances

- A. All employees must be free from the abuse of prescription medications or being in any manner under the influence of a chemical that impairs their ability to

provide services or care.

- B. The possession, use, sale or distribution of controlled substances, including alcohol, paraphernalia, drugs, and other chemicals is forbidden in or on St. David's Center premises, in our vehicles, or while conducting St. David's Center business, including in or at worksites, and is cause for disciplinary or corrective action up to and including termination.
- C. Being under the influence of a controlled substance identified under Minnesota Statutes, chapter 152, or alcohol, or illegal drugs in any manner that impairs or could impair an employee's ability to provide care or services to persons receiving services is prohibited and will result in corrective action up to and including termination.
- D. St. David's Center is obligated to refer to outside legal authorities if any illicit substances are found on agency property, as well as related information.
- E. Criminal conviction for the sale of narcotics, illegal drugs or other chemicals will result in corrective action up to and including termination. All employees will notify St. David's Center of any criminal drug statute conviction for a drug law violation. This notice must be given to St. David's Center no later than five days after a conviction.
- F. The consumption of alcohol is prohibited while directly responsible for persons receiving services, or in our vehicles, and will result in corrective action up to and including termination.
- G. Employees who are conducting business-related activities that may involve alcohol consumption (e.g., client dinners, company sponsored events) may consume alcohol on those occasions but must remember that they are representing St. David's Center as a professional. Accordingly, such employees are expected to limit their consumption of alcohol to remain under the legal limit for being considered under the influence of alcohol in the state in which the event occurs. Employees who do not adhere to this policy may be subject to discipline up to and including discharge or termination.
- H. No alcohol is allowed at agency functions unless the Chief Executive Officer has authorized its use on site.

3. Treatment

Employees suffering from substance abuse may be allowed appropriate time off from work without pay to address this issue under the Family and Medical Leave Act.

4. Prescription Drugs

- A. An employee may not perform their duties while taking prescribed drugs that adversely affect the employee's ability to safely and effectively perform their job duties. Employees taking a prescribed medication must carry it in the container labeled by a licensed pharmacist or be prepared to produce it if asked.
- B. An employee using prescription medications may be assigned to other duties or may be required to not work until not under the influence of the medication.
- C. The employee may request Paid Time Off, if available, or Family and Medical Leave, if applicable.

5. Reporting and Inspections

- A. The program's designated staff person will notify the appropriate law enforcement agency when we have reasonable suspicion to believe that an employee may have illegal drugs in his/her possession while on duty during work hours. Where appropriate, we will also notify licensing boards.
- B. St. David's Center reserves the right to inspect all portions of its premises for drugs, alcohol or other contraband. All employees, contract employees and visitors may be asked to cooperate in inspections of their persons, work areas and property that might conceal a drug, alcohol or other contraband. Employees who possess such contraband or refuse to cooperate in such inspections are subject to appropriate discipline up to and including discharge.

Violation of this Policy or Procedure

No or only partial adherence to this policy or procedure may result in noncompliance with current regulatory requirements and subsequent penalties to St. David's Center. Remediation for violators will include, but not be limited to, disciplinary action up to and including termination depending on the circumstances of the situation at the time.

Reference or Attachment: