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EXECUTIVE OFFICE

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SNOHOMISH COUNTY COUNCIL  
SNOHOMISH COUNTY, WASHINGTON



ORDINANCE NO. 89 - 136

RELATING TO THE ADOPTION OF THE COUNTY'S POLICY  
ON A DRUG-FREE WORKPLACE

WHEREAS, the Snohomish County Council and the County Executive support the objectives of the federal Drug-Free Workplace Act of 1988; and

WHEREAS, the Snohomish County Council and the County Executive support the requirements of the Washington Administrative Code 296-24-073(e) titled SAFE PLACE STANDARDS; and

WHEREAS, it is intended that employees and the population of the county should be free of safety hazards and reduced worker efficiency resulting from use of controlled substances or intoxicants such as alcoholic beverages;

NOW, THEREFORE, BE IT ORDAINED:

The following new chapter 3.58, DRUG-FREE WORKPLACE, is added to title 3 of the Snohomish County Code:

Chapter 3.58

DRUG-FREE WORKPLACE

Sections:

- 3.58.010 Statement of policy.
- 3.58.020 Prohibitions.
- 3.58.030 Workers under the influence.
- 3.58.040 Condition of employment.
- 3.58.050 Discipline.
- 3.58.060 Employees encouraged to seek assistance.
- 3.58.070 Lack of affect on drug testing.

3.58.010 Statement of policy. It is the policy of Snohomish County to maintain a drug-free workplace.

3.58.020 Prohibitions. Unlawful manufacture, cultivation, distribution, dispensing, possession, or use of a controlled substance as defined in CH. 69.50 RCW, THE UNIFORM CONTROLLED SUBSTANCES ACT, or intoxicant is prohibited in the workplace. The workplace is defined as the employee's assigned location(s) for carrying out the responsibilities of his/her position which shall include all locations over which the employer has right of access or control, or where the employee is required to be during his/ her work day.

3.58.030 Workers under the influence - prohibited in the workplace - exceptions. Workers under the influence of alcohol, intoxicants or controlled substances, are prohibited in the workplace. This rule does not apply to persons taking prescription drugs and narcotics as directed by a physician or dentist provided such use shall not endanger the worker or others. It is the employee's responsibility to check with his/her physician, dentist, or pharmacist as to whether or not a prescription or over-the-counter drug will impair performance and to notify his/her supervisor of the impairment and the period of time the medication will be used.

3.58.040 Condition of employment. It shall be a condition of employment that each county employee will:

- (1) Abide by the terms of this policy, and
- (2) Will notify the Director of Personnel of any criminal drug statute conviction against him/her for a violation occurring in the workplace, no later than five (5) days after the date of such conviction.

3.58.050 Discipline. Employees may be disciplined, up to and including termination, for violation of any of the prohibitions listed above. Any of the following actions may be taken separately or in combination for violation of any prohibition listed in this document.

- (1) Suspension without pay.
- (2) Confiscation of any suspected substance, device, paraphernalia, container or other items considered a part of the violation of prohibitions.
- (3) Termination from all county employment, or
- (4) Require successful completion of a county approved substance abuse rehabilitation program prior to return to work.
- (5) Other forms of discipline may be used.

3.58.060 Assistance for drug abuse problems. Employees with substance abuse problems are encouraged to seek assistance from their supervisor, department head, or the Director of Personnel.

3.58.070 Lack of affect on drug testing. Nothing in this chapter shall be construed as limiting the county's rights or responsibilities to test employees for the use of controlled substances and/or intoxicants.

DATED this 2nd day of November, 1989.

SNOHOMISH COUNTY COUNCIL  
Snohomish County, Washington

William H. Gutches  
Chairperson

Approved as to form:

William Nite 9/18/89  
Deputy Prosecuting Attorney

ATTEST:

Julie VanCleve  
Asst. Clerk of the Council

- (  ) APPROVED
- (    ) VETOED
- (    ) EMERGENCY

DATE: Nov. 28, 1989

[Signature]  
County Executive

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