

August 20, 1991

Resolution No. 70

A resolution to adopt a policy consistent with the Federal "Drug-Free Workplace Act," and to certify compliance with said act.

Whereas, the Town of Delavan, Walworth County, Wisconsin, is an employer within the scope of the "Drug-Free Workplace Act" (hereinafter, "Act"), and

Whereas, the Town of Delavan is desirous of complying with the standards set forth in the "Act," and

Whereas, the Town of Delavan is desirous of adopting a policy consistent with the relevant criteria and certifying compliance with said criteria.

NOW THEREFORE, the Town Board of the Town of Delavan does hereby resolve as follows:

1. The Town shall notify all of its employees of its policy that the unlawful manufacture, distribution, dispensing, possession or use of illegal drugs is prohibited in the workplace and that specific actions will be taken against employees who violate that policy.
2. The Town shall establish a drug-free awareness program that includes information about the dangers of drug abuse in the workplace, the Town's drug free workplace policy, the penalties for violating that policy and the availability of counseling and rehabilitation programs.
3. The Town shall provide all employees with a copy of the above described statement and policy.

DRUG-FREE AWARENESS POLICY

I. Dangers of Drug Abuse in the Workplace

Drug and alcohol abuse in our society has been a problem that affects everyone, including those who do not abuse drugs. Thus, it should come as no surprise that the abuse in the workplace increasingly has been recognized as a serious problem that poses serious safety and health risks to both drug-abuse and to his or her fellow employees. Abuse of drugs or alcohol on the job can endanger lives, reduce the quality and efficiency of our work, and cause the loss of equipment.

It has been estimated that the loss to industry each year from drug abuse is 30 billion dollars. Drug abusers are three times as likely to have an accident at work and they are absent from work 2 1/2 times as often as other employees. The medical costs of drug abusers are three times higher than normal. Theft can become a serious problem as employees must find a way to support an expensive drug habit. Drug-abusers affect all of us in many ways, including higher health insurance rates, theft from co-employees, extra work caused by absent or impaired employees, and risk of personal injury from impaired employees.

II. The Town Will Not Tolerate Drug or Alcohol Abuse in the Workplace

The Town strictly prohibits the unlawful manufacture, distribution, dispensing, possession or use of alcohol, drugs and controlled substances in the workplace.

Any employee of the Town who unlawfully manufactures, distributes, dispenses, possesses, or uses drugs or controlled

particular violation at issue.

As noted above, employees are required as a condition of employment to inform the Town Clerk if they are convicted of any criminal drug abuse violation that occurred in the workplace. Such notice must be provided no later than 5 days after such conviction. Within 30 days of receiving such notice of a conviction the Town will take such disciplinary actions as it deems fit under the circumstances, including possible termination of employment. As part of its personnel action, the Town may require the employee to satisfactorily participate in a drug or alcohol abuse assistance or rehabilitation program that has been approved by federal, state, or local health, law enforcement, or other appropriate agency. However, the Town retains the right to discipline or discharge an employee who violates the Town's drug and alcohol abuse policy, regardless of whether that employee is convicted of any criminal offense.

V. No Change in Employment Status

This Drug-Free Awareness Program is not intended to grant any contractual rights in any person, and its terms may be modified at any time without prior notice. Nothing herein shall be deemed to affect the employment status of the Town's employees.

NOTICE TO EMPLOYEES CONCERNING
CONTROLLED SUBSTANCES IN THE WORKPLACE

All employees of the Town of Delavan, hereinafter Town, are hereby notified that the Town strictly prohibits the unlawful manufacture, distribution, dispensing, possession, or use of drugs and controlled substances in the workplace.

Any employee of the Town who unlawfully manufactures, distributes, dispenses, possesses, or uses drugs or controlled substances in the workplace will be subject to appropriate personnel action, as determined in the discretion of the Town. Any employee who reports for work or remains on duty while under the influence or while impaired by alcohol or controlled substances shall also be subject to appropriate personnel action. Such personnel action may include immediate termination, even for first time offenses.

As a condition of employment with the Town, each employee must abide by the terms of this notice and must notify the Town Clerk if he or she is convicted under a criminal drug statute. The employee must provide notice to the Town Clerk no later than 5 days after such conviction. However, the Town retains the right to discipline or discharge employees who have engaged in the activities prohibited by this notice even if the employee is not convicted or charged with a criminal offense.

Your signature on this notice (a copy of which will be placed in your personnel file) acknowledges that you have received and read this notice and that you have received and read the accompanying Drug-Free Awareness Program. Your signature also