

Town of Windham

Drug and Alcohol-Free Workplace Policy

I. Policy Statement

It is the policy of the Town of Windham to maintain an alcohol and drug-free work environment.

II. Governance

As required by the Drug Free Workplace Act, 41 U.S.C. Section 8103 all persons are prohibited from using, possessing, selling, trading, and/or offering for sale alcoholic beverages, illegal drugs or other intoxicants anywhere on Town property and from reporting for work or performing services for the Town, whether as an employee, volunteer or independent contractor, while under the influence of alcohol, illegal drugs or other intoxicants.

Note: Employees whose positions require them to possess and maintain a valid CDL are covered under the Alcohol and Drug Testing Policy.

III. Notification of Convictions

Any employee who is convicted of a criminal drug violation in the workplace must notify the Town in writing within five (5) calendar days of the conviction. The Town will take appropriate action within 30 days of notification and will notify the granting agency within ten (10) after receiving notice from the employee or receiving actual notice of conviction.

IV. Application

- Any employee who believes that he or she may have a substance abuse problem is encouraged to see help through the Town's Employee Assistance Program ("EAP"). Participation in the EAP is confidential. However, participation in the EAP will not prevent discipline for violation of this policy.
- In the case of applicants for employment with the Town, an offer of employment will be withdrawn if the applicant violates this policy.
- Employees who violate this policy will be subject to disciplinary action up to and including termination of employment.
- Volunteers who violate this policy may be suspended or terminated from volunteering activities.
- Independent contractors who violate this policy may have their engagement suspended or terminated, or not renewed.

- Members of the public who request services from the Town while under the influence of alcohol, illegal drugs or other intoxicants may be requested to return at another time.

The Town reserves the right under all circumstances to report illegal behavior to law enforcement authorities.

No employee should report for work or engage in work while taking prescription medications that may impair his or her ability to work safely. While at work employees also may not be under the influence of medications (legal or otherwise) which impair their ability to perform the essential functions of their position or which threaten their own or others' safety.

Any employee and/or supervisor who has reason to believe that another worker is under the influence of alcohol, illegal drugs or other intoxicants must immediately report the matter to the Human Resources Director.

Alcohol & Drug Testing Policy

Those employees who hold a Town position that requires a Commercial Driver's License (CDL) are subject to the Town's Alcohol and Drug Testing Policy, in compliance with federal law and regulations, Title 49 CFR Part 382.

APPROVED:  Date: 8/16/22
Barry A. Tibbetts
Town Manager

- August 14, 2013 (Reviewed)
- August 11, 2014 (Reviewed)
- August 10, 2015 (Reviewed)
- August 8, 2016 (Reviewed)
- August 11, 2017 (Reviewed)
- August 6, 2018 (Reviewed)
- August 9, 2019 (Reviewed)
- July 31, 2020 (Reviewed/Revised)
- June 22, 2021 (Reviewed)
- August 17, 2022 (Reviewed/Revised)