

RESOLUTION NO. 92-15

A RESOLUTION ADOPTING A POLICY FOR A DRUG-FREE WORKPLACE, DEFINING UNLAWFUL ACTIVITY, PROVIDING FOR PENALTIES AND AMENDING THE PERSONNEL POLICY OF THE TOWN OF HUDSON TO INCLUDE THERETO THE PROVISIONS OF THIS RESOLUTION.

WHEREAS, the United States Congress has enacted the Drug- Free Workplace Act of 1988; and

WHEREAS, the purpose of this resolution is to ensure that work done under federal contracts or federal grants is performed in a drug free work environment and to clarify the Town's policies regarding the use of drugs or alcohol on the job; and

WHEREAS, the existing policies regarding the use of drugs and/or alcohol in the workplace are in adequate; and

WHEREAS, the unlawful manufacture, distribution, dispensation, possession, or use of illegal drugs during working hours, clearly affects an employee's ability to perform his/her public duties, and creates serious public safety dangers;

NOW, THEREFORE, be it Resolved by the Board of Trustees of the Town of Hudson, Colorado, as follows:

Section 1. **Article 4, Section 9 - Use of Drugs and Alcohol**, of the Personnel Policies of the Town of Hudson is amended in its entirety as follows:

Section 9 - Use of Alcohol

- a. Employees of the Town or Housing Authority who are under the influence of alcohol while on the job are subject to immediate disciplinary action. If an employee is reasonably believed by a department head, the Mayor, a Trustee or the Executive Director of the Housing Authority, to be under the influence of alcohol while on the job, the department head shall take immediate remedial action. This also applies to employees of the Town or Housing Authority not on the job, but who are on Town Property.

Section 2. Article 4 of the Personnel Policies of the Town of Hudson are amended by the addition of **Section 10 - Drug Free Workplace**, as follows:

Section 10 - Drug Free Workplace

- a. No employee of this Town may illegally engage in the manufacture, distribution, dispensation, possession, or use of a controlled substance during working hours, while at his/her workplace. Such unlawful activity will be considered a sufficient ground for a serious adverse personnel action, including dismissal from employment.
- b. If an employee is arrested for or convicted (including a plea of nolo contendere) of violating any criminal drug statute of any jurisdiction, regardless of whether the alleged violation occurred at the workplace or elsewhere, the employee must notify the department supervisor of this Town in writing of each arrest or conviction as soon as possible but in no event more than five calendar days after the arrest or conviction.
- b. Failure to comply with any part of this policy will result in serious adverse personnel action, including possible dismissal from employment.

PASSED, APPROVED AND ADOPTED at a regular meeting of the Board of Trustees this 14th day of October, 1992.

TOWN OF HUDSON, COLORADO

Mayor

(SEAL)

ATTEST:

Town Clerk