



King County
Records and Elections Division
Records Management Section

Department of
Executive Administration
553 King County Administration Bldg.
500 Fourth Avenue
Seattle, WA 98104
(206) 296-1572

June 4, 1990

TO: POLICY/PROCEDURE MANUAL STATIONS

FM: Records Management Section
Records and Elections Division
Department of Executive Administration

RE: PER 15-1 (AEP) Distribution


This memo transmits Executive Policy PER 15-1 (AEP) "Chemical Dependence and Impairment Policy."

Please place this policy in the proper section of the AEP manual according to the Document ID Number.

If you have any questions, please call Records Management at 6-1572.

RMemo
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Title CHEMICAL DEPENDENCE AND IMPAIRMENT POLICY	Document Code No PER 15-1 (AEP)
Department/Issuing Agency EXECUTIVE ADMINISTRATION - PERSONNEL	Effective Date May 7, 1990
Approved  4/27/90	

- 1.0 SUBJECT TITLE: CHEMICAL DEPENDENCY AND IMPAIRMENT POLICY
 - 1.1 EFFECTIVE DATE: 5/7/1990
 - 1.2 TYPE OF ACTION: New
 - 1.3 KEY WORDS: (1) alcohol, (2) alcoholism, (3) chemical dependency, (4) discipline, (5) drug addiction, (6) psychoactive chemicals

- 2.0 PURPOSE:

King County recognizes the importance of a safe, healthy, and drug-free work environment. Further, King County desires to encourage and assist employees suffering from chemical dependency in their efforts to participate in treatment and recovery programs. This policy is implemented to assist in keeping the workplace free of employees whose job performance is impaired by the abuse of drugs and/or alcohol.

- 3.0 ORGANIZATIONS AFFECTED:

All executive departments, offices, and agencies.

- 4.0 REFERENCES:
 - 4.1 King County Code, Chapter 3.12, Personnel System, Section 270, Disciplinary Action.
 - 4.2 King County Administrative Guidelines for the Career Service, Section 40 - Discipline, Separation and Appeals.
 - 4.3 King County Executive Order, FES 8-1 (A-EP) - Policy Restricting Alcohol Consumption on County Property.
 - 4.4 United States Drug-Free Workplace Act of 1988.
 - 4.5 Revised Code of Washington, 69.50.101 and 70.96A.020(1).

- 5.0 DEFINITIONS:
 - 5.1 "Alcoholic beverage" means beer, wine, liquor, or any beverage containing beer, wine, or liquor.
 - 5.2 "Alcoholism" means a disease characterized by a dependency on alcoholic beverages, loss of control over the amount and cir-

cumstances of use, symptoms of tolerance, physiological or psychological withdrawal, or both, if use is reduced or discontinued, and impairment of health or disruption of social or economic function (ref. RCW 70.96A.020(2)).

- 5.3 "Chemical dependency" means alcoholism or drug addiction, or dependence on alcohol and one or more other psychoactive chemicals (ref. RCW 70.96A.020(4)).
- 5.4 "Controlled substance" means any substance whose dissemination is controlled by regulation or statute, including, but not limited to, narcotics, depressants, stimulants, hallucinogens, and cannabis (marijuana) (ref. RCW 69.50.101 - Definitions).
- 5.5 "Drug addiction" means a disease characterized by a dependency on psychoactive chemicals, loss of control over the amount and circumstances of use, symptoms of tolerance, physiological or psychological withdrawal, or both, if use is reduced or discontinued, and impairment of health or disruption of social or economic functioning (ref. RCW 70.96A.020(9)).
- 5.6 "Impaired" means a condition which may limit an employee's ability to perform his or her job duties or which poses a threat to the safety of the employee or others.
- 5.7 "Liquor" means alcohol, spirits, wine and beer, or any other substance as defined in RCW 66.04.010(15).
- 5.8 "Proper medical authorization" means a prescription or other written approval from a licensed medical practitioner/physician or dentist for the use of a drug in the course of medical treatment, and which contains the name of the substance, and the period of authorization (also applies to refills of prescribed drugs).

6.0 POLICIES:

- 6.1 It shall be the policy of King County that the following activities are strictly prohibited:
 - 6.1.1 Reporting to work under the influence of liquor or under the influence of controlled substances without proper medical authorization;
 - 6.1.2 The use, manufacture, possession, or transfer of controlled substances without proper medical authorization in any amount or in any manner on County premises or in County vehicles at any time, whether or not performing County business, except as required in the performance of normally assigned duties;
 - 6.1.3 Operation of equipment or County vehicles when an employee's ability to do so has been impaired.
 - 6.1.4 The use in any way of County property or the employee's position with King County to make or traffic liquor or controlled substances.

- 6.1.5 Any other unlawful use, possession, or trafficking of liquor or controlled substances in a manner that is detrimental to King County.
- 6.2 Any employee who is convicted of a criminal violation occurring in the work place involving a controlled substance must notify his or her immediate supervisor within five days of the conviction. The supervisor will immediately inform the respective department director and the Personnel Manager. If the employee performs duties associated with the provisions of a contract or grant received directly from a federal agency, including block grants or entitlement grants, the department director is required to notify the appropriate federal agency of the conviction within ten days of the employee's notification.
- 6.3 King County affirms the right of its employees to privacy and to be free from unreasonable inquiry and investigation into off-duty conduct and activities. However, disciplinary action against an employee for off-duty conduct may be taken if such conduct impairs the employee's on-the-job performance or conflicts with his or her responsibility as a King County employee to maintain the public faith and trust.
- 6.4 It shall be the responsibility of an employee who observes or has knowledge of another employee in a condition which impairs his or her ability to perform job duties and poses a hazard to the safety and welfare of others to promptly report the incident to his or her immediate supervisor.
- 6.5 The responsibility to improve substandard job performance or to correct unacceptable work behavior caused by a chemical dependency rests with the individual employee. Failure to correct unsatisfactory job performance or behavior may result in appropriate disciplinary action up to and including dismissal.
- 6.6 Any treatment for chemical dependency by a licensed/state certified treatment program is subject to normal medical leave policy. Leave without pay may be granted to those employees who have insufficient sick or annual leave accrued.
- 6.7 Employees who are concerned about their alcohol and/or drug use are strongly encouraged to voluntarily seek assistance.
- 6.8 No employee shall be subject to disciplinary action or other adverse action, overtly or covertly, solely as a result of a request by the employee for chemical dependency screening or treatment. An employee's promotional opportunities will not be jeopardized by utilization of treatment services.
- 6.9 Confidentiality is an essential element of chemical dependency treatment. Any employee violating this confidentiality will be subject to disciplinary action.
- 6.10 The confidential nature of the medical records of employees with chemical dependency problems will be preserved in accordance with

federal and state regulations governing the disclosure of alcoholism and drug addiction records (ref. 42 CFR, Part 2).

- 6.11 Managers, supervisors, union, and other employee representatives play a key role in the implementation of a chemical dependency and impairment policy. To facilitate their understanding and management of performance problems resulting from chemical dependencies, education and training will be made available.
- 6.12 Prevention of chemical dependencies among employees will be addressed through ongoing educational and drug awareness programs available to all County employees.
- 6.13 Any employee who violates any aspect of this policy will be subject to disciplinary action for insubordinate behavior, up to and including termination. When the County has reason to believe the employee is violating this policy, the employee may be suspended immediately pending investigation. Any employee convicted of a felony involving the use of liquor, or the use, possession or sale of controlled substances, while on duty on or off County property, will be subject to disciplinary action, including immediate dismissal.
- 6.14 Application of the provisions of this policy to union represented employees will be subject to collective bargaining.

7.0 PROCEDURES:

Disciplinary actions required under the terms of this policy shall be taken in accordance with Section 40 of The Administrative Guidelines for the Career Service as authorized by K.C.C.3.12, or if an employee being disciplined is a member of a union represented bargaining unit, by the terms of the applicable collective bargaining agreement.

8.0 RESPONSIBILITIES:

8.1 Employees are responsible for:

- 8.1.1 Improving substandard work performance and correcting unacceptable work behavior caused by chemical dependency.
- 8.1.2 Reporting to their immediate supervisor observations or knowledge of other employees whose ability to perform job duties safely is impaired.
- 8.1.3 Observing all other provisions of this policy.

8.2 Supervisors are responsible for:

- 8.2.1 Taking appropriate disciplinary action when an employee has violated any of the terms of this policy.
- 8.2.2 Approving a medical leave of absence as necessary for an employee who has been or is being admitted to a licensed/state certified treatment program.

8.2.3 Observing all other provisions of this policy.

8.3 The Personnel Division is responsible for:

8.3.1 Providing necessary consultation and advice to County agencies in determining appropriate disciplinary action when a provision of this policy has been violated.

3/26/90

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