

DRUG AND ALCOHOL TESTING POLICY

The City of Chicago has an obligation to maintain a safe, healthy and productive work environment for its employees. An employee under the influence of drugs or alcohol on the job can be a serious safety risk to himself or herself, to other employees, and in certain instances, to the general public. Abuse of drugs or alcohol also has a negative impact on the productivity and health of City employees. In order to maintain a safe and healthy work environment the City of Chicago has established the following drug testing policy.

1. Drug And Alcohol Testing

The City may require testing of an employee for whom there is a reasonable suspicion that the employee has used drugs or alcohol or is under the influence of drugs or alcohol while at work, on City property or on City business.

The City may require testing of any employee involved in an accident which results in significant injury requiring medical attention or significant property damage while at work, on City property or on City business.

The City may require testing of any employee involved in a fight while at work, on City property or on City business.

2. Definitions

"Under the influence" Any mental, emotional, sensory or physical impairment due to the use of drugs or alcohol.

"Illegal drug" Any drug that is not legally obtainable; that is legally obtainable but has not been legally obtained; or that is being used in a manner or for a purpose other than prescribed.

"Reasonable suspicion" means a belief that an employee may be under the influence of drugs or alcohol. Such belief must be based on some objective indicia, which may include but is not limited to, the following matters: erratic or unusual behavior by an employee, including but not limited to noticeable imbalance, incoherence and disorientation, which would lead a person of ordinary sensibilities to conclude that the employee is under the influence of drugs and/or alcohol; observation of possible ingestion of alcohol or use of drugs; and involvement in an accident, fight or other circumstances which could lead a reasonable person to believe that the use of drugs or alcohol may have been involved.

3. Disciplinary Action

Any employee who refuses to cooperate with testing procedures or tests positive for drug and/or alcohol use will be terminated for a first offense.

4. Employee Assistance Program

The City has established an Employee Assistance Program (EAP) which provides help to employees experiencing personal difficulties. The City encourages anyone with a drug or alcohol problem to utilize the EAP. Use of the EAP is voluntary and confidential. It is the responsibility of all employees to seek assistance from the EAP before alcohol or drug abuse use leads to disciplinary action.

An employee's decision to utilize the EAP will not be used as the basis of disciplinary action. However, participation in an EAP program will not preclude discipline, nor will it be a defense to disciplinary action where the information leading to the adverse employment action was gathered from sources other than the EAP. Under no circumstances will enrollment in an EAP program after disciplinary action has been initiated be deemed a defense to such action. Further, the City is under no obligation to offer participation in an EAP program prior to, or in lieu of, imposition of discipline.