



BOISE COUNTY

RESOLUTION #2017-35

A BOISE COUNTY RESOLUTION ADOPTING

THE BOISE COUNTY DRUG & ALCOHOL FREE WORKPLACE POLICY

WHEREAS, the Board of Boise County Commissioners has reviewed the Boise County Drug & Alcohol Free Workplace Policy; and

WHEREAS, a diligent review and discussion of a policy, has been accomplished by the Board of Boise County Commissioners, with Elected Officials and Department Heads; and

WHEREAS, agreement has been reached by the Board of Boise County Commissioners and Department Heads with Elected Officials on the Drug & Alcohol Free Workplace Policy.

WHEREAS, the Board of Boise County Commissioners has the authority to enact certain personnel policies pursuant to Idaho Code 31-801 and 31-802, and as discussed in Hansen v. White, 114 Idaho 907 (1988); Harms v. Jeffries, No. 4:11-CV-00111-EJL-CWD, 2013 U. S. Dist. LEXIS 32662 (D. Idaho Mar. 4, 2013); Idaho Attorney General Opinion 86-10; and

IT IS FURTHER RESOLVED that Resolution #2017-35, known as the Boise County Drug & Alcohol Free Workplace Policy, be effective as of August 11th, 2017.

APPROVED and ADOPTED this 11th day of July, 2017, in Open Session of the Boise County Board of County Commissioners.

BOISE COUNTY BOARD OF COMMISSIONERS

Handwritten signature of Alan D. Ward in blue ink.

ALAN D. WARD, Chairman

Handwritten signature of Roger B. Jackson in blue ink.

ROGER B. JACKSON, Commissioner

Handwritten signature of Laura L. Baker in blue ink.

LAURA L. BAKER, Commissioner

ATTEST:

Handwritten signature of Mary T. Prisco in blue ink.

Mary T. Prisco, Clerk to the Board



BOISE COUNTY DRUG & ALCOHOL-FREE WORKPLACE STATEMENT AND POLICY

1. PURPOSE. The purpose of the Boise County Drug-Free Workplace Policy is to allow Boise County to achieve and maintain a drug-free workplace. By implementing this policy, the County will be promoting a safe and secure work environment for its employees, and the County will fulfill its obligation to provide the citizens of Boise County with safe and efficient public services.

2. DISTRIBUTION OF POLICY. This policy is to be published on the County website, and a copy of this policy is to be provided to each County employee by either email or a hard copy provided in person. If the policy is provided by email, the County employee must click “read receipt” or respond to the email that the employee received the policy. If the policy is provided in hard copy form, the County employee must sign a written statement that the employee received the policy. The record of “read receipt,” the email response, or the signed statement must be put in the employee’s personnel file.

3. APPLICABILITY. This policy applies to all Boise County employees, volunteers, and interns, whether they are temporary, seasonal, part time, or full time employees, or applicants with a conditional offer of employment, including the Boise County Sheriff’s Office, and to employees of the East Boise County Ambulance District who are on the County payroll.¹ This policy will not apply to independent contractors and their employees, or to employees furnished through and paid by temporary staffing service businesses. For purposes of this policy, the term “employee” includes applicants for County positions.

4. REASONABLE ACCOMMODATIONS. The County will make reasonable accommodations to this policy as required by law. Those accommodations will be made on an individualized case-by-case basis by looking at the essential job functions, safety concerns, and the prescription drug at issue in each specific set of circumstances. Employees performing safety sensitive job functions as laid out in Table A in Section 8 and who are taking prescribed medications must inform their supervisors if they believe that (1) they will be impaired; (2) their prescriptions may adversely affect their judgment, coordination, or the ability to perform assigned job duties; (3) their prescription warning label states that the drug interferes with performing the essential function of their position; or (4) they need a reasonable accommodation to this policy. Employees are not required to disclose any underlying medical conditions for which they are taking any prescribed medications. Employees using drugs illegally are not protected by the Americans with Disabilities Act (ADA).

5. PROHIBITED ACTS. (a) Employees must work alcohol- and drug-free in order to perform their jobs in a safe and efficient manner. This policy is designed to prevent alcohol and prohibited drug use, and to encourage employees to seek help for substance abuse problems. Employees are prohibited from doing any following acts:

- (1) Manufacturing, distributing, possessing, consuming, or using alcohol or a prohibited drug while on County property, operating County vehicles or equipment, conducting County business, or in the scope and course of County employment.
- (2) Working with a detectable level of prohibited drugs or alcohol in their system, unless those drugs are specifically prescribed by a licensed physician (or other appropriate healthcare professional) for specific treatment purposes of the employee at the time.

¹ The East Boise County Ambulance District has its own drug testing policy for its volunteers.