

### **Drug Free Workplace Policy (Oct 2022, from City Personnel Policy)**

The City of South Portland recognizes that alcoholism and drug dependency are treatable diseases. Left untreated, they may result in serious personal, professional and family problems. At the same time, the City is also seriously concerned about the effects of alcohol and drug dependency upon an employee's job performance and ability to serve the public.

The City believes strongly that all employees and members of the public should be able to conduct business in an environment free from alcohol and drug abuse. Accordingly, the City expects all employees to report for work and to perform their duties in a manner which does not jeopardize the health, safety and well-being of co-workers and the public.

No employee of the City shall distribute, dispense, possess, store, use or be under the influence of any alcoholic beverage, malt beverage, fortified wine, intoxicating liquor, illegal drugs, intoxicants, controlled substances, or other substances of abuse during working hours, including rest breaks and meal periods.

The City abides by the Maine Medical Use of Marijuana Act, as may be amended from time to time and will not discriminate against an employee or applicant solely on the basis of his or her status as a qualifying patient or primary caregiver. However, the City may refuse to employ any person who uses marijuana if doing so would cause the City to be in violation of federal law or to lose a federal contract or funding. Pursuant to the Maine Medical Use of Marijuana Act, the City prohibits the smoking of marijuana on all City property, including public transportation, and prohibits possession and use of marijuana in any form on all school property, including school buses, unless otherwise expressly permitted by the Maine Medical Use of Marijuana Act.

Employees shall not possess, smoke, ingest or be under the influence of marijuana in the workplace, on or within any City property, or at any time during which the employee is working, expected to work, and/or on duty. The prohibitions in this paragraph apply to all marijuana usage, medicinal and recreational, whether or not lawful under Maine law.

Any employee who suspects that he or she may have an alcohol or drug dependence problem is strongly encouraged to contact the City's Employee Assistance Program (see Section VII (B) Personnel Policy) or supervisor to seek voluntary diagnosis and treatment. The employee will be provided confidential referral services to an outside agency upon request, and assisted in determining the extent to which insurance coverage may help pay for such services. All voluntary referrals shall be kept confidential. Any violation of this policy may constitute just cause for employee discipline, up to and including termination