

ALCOHOL AND DRUG POLICY

Elmhurst Public Library is committed to providing a safe and healthy work environment for its employees as well as safe, effective services for the citizens of Elmhurst. To accomplish this, it is necessary to maintain a drug and alcohol-free work place. Employees are strictly prohibited from engaging in the unlawful manufacture, sale, distribution, transportation, purchase, possession or unlawful use of controlled substances or drug paraphernalia and/or being under the influence of any controlled substance, alcohol or other intoxicating substance at the work place or while conducting Library business off the Library's premises. The work place includes but is not limited to the Library building, vehicles, parking areas, off-site programs, or wherever the employee may be located during a work shift. Such unlawful conduct is also prohibited during nonworking time to the extent that it (1) impairs, in the opinion of the management of the Library, the employee's ability to perform his or her job; and (2) affects the Library's reputation or threatens its integrity, also in the opinion of Library management.

For purposes of this policy, prohibited substances shall be defined as any controlled substance as listed in Schedules I through V of the Controlled Substances Act, 21 U.S.C. 812, any alcohol product regulated by state law or City ordinance, any drug which is not legally obtainable and/or any drug which is legally obtainable, such as a prescription drug, but which is not legally obtained, is not being used for prescribed purposes, and/or is not being taken according to prescribed dosages, or any other intoxicating substance. Prohibited substances include, but are not limited to: alcohol, narcotics (heroin, morphine, etc.) cannabis (marijuana, hashish), stimulants (cocaine, crack, diet pills, etc.) depressants (tranquilizers) and hallucinogens (PCP, LSD, "designer drugs", etc.).

Any employee convicted of violating a Municipal ordinance or a criminal drug statute in this workplace must inform the Library Director of such conviction (including pleas of guilty and no contest) within five days of the date of conviction. Failure to so inform the Library Director subjects the employee to disciplinary action, up to and including termination for the first offense. By law, if the Library is involved in a federal and/or state contract the Library will notify the federal and/or state contracting officer, if any, within ten days of receiving such notice from an employee or otherwise receiving notice of such a conviction.

The Library recognizes prohibited substance dependency as an illness and a major health problem. The Library also recognizes the use of prohibited substances as a potential health, safety and security problem. The Library's health benefit plan covers in and outpatient treatment for chemical dependency on the same basis as for any other sickness. Employees may contact the City of Elmhurst Human Resources Department for a listing of drug/alcohol counseling programs. Conscientious efforts to seek such help will not jeopardize any employee's job and will not be noted in any personnel record.

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VIOLATION OF POLICY

Any violation of this policy will result in disciplinary action up to and including dismissal.

Unlawful manufacture and/or distribution of a controlled substance, as defined in Schedules I through V of the Controlled Substances Act, 21 U.S.C. 812 will result in automatic termination for the first offense.

Unlawful possession of a controlled substance or drug paraphernalia in the workplace will result, at a minimum, in a suspension for the first offense or a more serious disposition depending on the severity of the offense. A second violation will result in automatic termination.

Use or being under the influence of a prohibited substance will result, at a minimum, in a suspension or a more serious disposition depending on the severity of the offense. A second violation will result in automatic termination.

In addition to the above disciplinary action, the employee may be subjected to legal prosecution as well.

Arrest and conviction for off-the-job drug/alcohol activity may be considered a violation of this policy. The Library shall consider factors such as but not limited to the nature of the charges, the employee's present job assignment, the employee's record with the Library, and the impact of the employee's conviction on the Library.

MEDICAL MARIJUANA

In compliance with the Compassionate Use of Medical Cannabis Pilot Program Act, the Library shall continue to enforce a policy concerning drug testing, zero-tolerance, and a drug free workplace provided the policy is applied in a nondiscriminatory manner. The Library respects the rights of those employees who are Registered Qualifying Patients and who engage in the medical use of marijuana in compliance with the law. All employees who are Registered Qualifying Patients are subject to all of the Library's normal drug testing requirements, personnel policies and disciplinary penalties for policy violations. A Registered Qualifying Patient who tests positive for cannabis may not be penalized solely for his or her status as a Registered Qualifying Patient unless failing to do so would put the Library in violation of federal law, or cause the Library to lose a monetary or licensing-related benefit under federal law or rules.

All employees, including Registered Qualifying Patients as defined by the Act, are strictly prohibited from using, possessing, selling, distributing or being

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impaired by cannabis while on the Library's premises, during hours of employment or while acting in any capacity in their employment with the Library. All employees are subject to this policy while on property owned, controlled or operated by the Library, including all offices, facilities, structures, fixtures, installations, land, parking areas, sidewalks, common areas under the control of the Library, automobiles, trucks, and all other vehicles and equipment whether owned, leased, rented, or used by the Library.

All employees working for the Library are expected to report fit for duty for scheduled work and be able to perform assigned duties safely and acceptably without any limitations due to the use or aftereffects of medical cannabis. Any employee found to use, sell, possess, or distribute cannabis while on Library premises, performing Library related duties, or while operating any Library equipment, is subject to disciplinary action, up to and including termination of employment and possible criminal prosecution. An employee must also not be impaired by medical cannabis during work hours to an extent that he or she is incapable of performing his or her assigned duties, as observed by his/her supervisor based on objective and observable criteria. Any cannabis found on the premises will be turned over to the appropriate law enforcement agency. Registered Qualifying Patients are subject to testing as set forth elsewhere in this policy to the same extent as any other employee.

All Registered Qualifying Patients are expected to consult with their personal physician to determine if the use of medical cannabis will have any potential negative effects on job performance. All Registered Qualifying Patients are required to report to their supervisor if there is any potential risk, limitation or restriction for whatever reason that may require modification of duties or temporary reassignment and provide appropriate medical verification on restrictions in the performance of duties. The following employees are prohibited from becoming a Registered Qualifying Patient: active duty police officers, firefighters, correctional officers and probation officers and CDL holders.

Each Qualifying Patient must carry his/her Registry Identification Card, issued by the Department of Public Health. Law enforcement personnel will have access to a verification system maintained by the Department of Public Health.