

Montgomery County Board of Commissioners

Ordinance No. 2024-20

Amending Drug Free Workplace Policy

WHEREAS, Montgomery County has previously adopted a Drug Free Workplace Policy to ensure a safe and productive work environment; and

WHEREAS, Montgomery County is in the process of applying for grants from the State of Indiana Office of Community and Rural Affairs (OCRA); and

WHEREAS, OCRA has identified necessary amendments to the County's Drug Free Workplace Policy to comply with grant eligibility requirements;

NOW, THEREFORE, BE IT ORDAINED by the Montgomery County Board of Commissioners, that the Drug Free Workplace Policy is hereby amended as follows:

Prohibited Drugs Prohibited drugs are defined as illegal substances, including controlled substances as defined in the Controlled Substance Act (21 U.S.C. § 812) and the Code of Federal Regulations (21 C.F.R. §§ 1308.11-1308.15) and prescription controlled substances which have not been prescribed by a licensed physician or dentist for specific treatment purposes for the employee. Abuse of prescription or over-the-counter drugs will also be treated as a substance abuse problem under this Ordinance. This Ordinance prohibits the illegal use, sale, transfer, distribution, possession, or unlawful manufacture of narcotics, drugs, or other controlled substances while on the job or on County premises (including vehicles used for County business). These include but are not limited to marijuana, cocaine, crack, PCP, heroin, LSD, amphetamines, hallucinogens, and barbiturates. Any illegal substances found on such premises will be turned over to the state police and may lead to criminal prosecution.

Reporting Violations Employees must, as a condition of employment, abide by the terms of this policy and report any conviction to the County under a criminal drug statute for violations occurring on or off County premises when conducting County business. Report of a conviction must be made to the County within five (5) business days after the conviction. The County will then notify the appropriate contracting officer within ten (10) days after receiving notice from either the employee or from another source. (These requirements are mandated by the Drug-Free Workplace Act of 1988.)

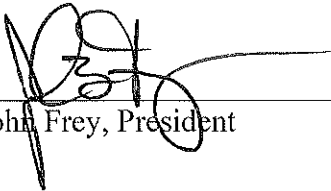
An employee who is involved with off-the-job illegal drug activity may be considered in violation of this Ordinance. In determining whether disciplinary action will be imposed for this activity, the County will consider the circumstances of each incident, including but not limited to any adverse effect the employee's actions may have on its customers, other employees, the public, or the County's reputation and image.

Codification The amendments set forth in this Ordinance shall be codified in the County Code under the section for the Drug Free Workplace Policy.

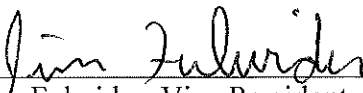
Effective Date This Ordinance shall become effective upon passage.

ADOPTED this 9 day of September, 2024, by the Montgomery County Board of Commissioners.

Montgomery County Board of Commissioners



John Frey, President

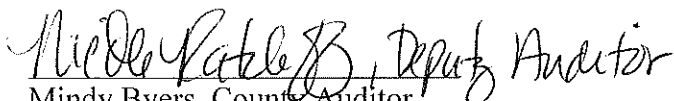


Jim Fulwider, Vice President



Dan Guard, Commissioner

Attest:



Mindy Byers, County Auditor

This ordinance was prepared with the assistance of Artificial Intelligence.