

STATE OF COLORADO }
County of Grand } ss.

At a regular meeting of the Board of County Commissioners for Grand County, Colorado, held at the Court House in Hot Sulphur Springs on Tuesday, the 27th day of February, A.D. 1996, there were present:

R.L. Thompson (absent), Commissioner Chairman
Robert F. Anderson, Commissioner
Paul Ohri, Commissioner
Anthony J. DiCola, County Attorney
R. Howard Moody, County Manager
Patricia L. Applebee, Clerk of the Board

when the following proceedings, among others were had and done, to wit:

RESOLUTION NO. 1996-2- 7

**A RESOLUTION ADOPTING THE GRAND COUNTY PERSONNEL MANUAL AND
REPEALING THE GRAND COUNTY PERSONNEL RULES AND REGULATIONS
FOR PERSONNEL ADMINISTRATION**

WHEREAS, the Board of County Commissioners of the County of Grand has determined that it is in the best interest of the residents and the property owners of Grand County to adopt a new Personnel Manual which will replace the previously adopted Personnel Rules and Regulations for Personnel Administration; and

WHEREAS, all Elected Officials have agreed to be bound by the provisions of the Grand County Personnel Manual.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO, that effective February 27, 1996 at 2:00 p.m., the attached Grand County Personnel Manual be and is hereby adopted.

BE IT FURTHER RESOLVED, that effective as of February 27, 1996 at 2:00 p.m. the previously adopted Personnel Rules and Regulations for Personnel Administration be and are hereby rescinded and revoked.

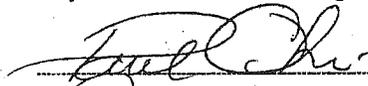
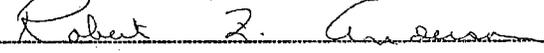
BE IT FURTHER RESOLVED, that the Grand County Personnel Manual shall apply to all employees of Grand County currently employed as of this date or hereafter employed by Grand County.

BE IT FURTHER RESOLVED, that all Grand County employees currently employed and/or hereafter employed shall sign a statement which shall be kept in each employees personnel file as follows:

I _____ certify and acknowledge that I have received a copy of the Grand County Personnel Manual dated _____, _____, with all amendments through _____, _____, this _____ day of _____, _____, and agree to abide by the policies contained therein. I understand and acknowledge that the Grand County Personnel Manual does not create a contract with me and that my employment is at will which means that I may resign at any time and that Grand County may discharge me at any time, for any reason, with or without cause.

BE IT FURTHER RESOLVED, that failure to sign the above referenced statement shall be of no consequence and the Grand County Personnel Manual shall be applicable to all current employees and/or employees hereafter hired regardless of whether the statement is signed.

Upon motion duly made and seconded the foregoing Resolution was adopted by the following vote:

	Aye
	Aye
R. L. Thompson	Absent

COUNTY OF GRAND
ALCOHOL AND DRUG ABUSE POLICY

EXHIBIT "A"
FEBRUARY 27, 1996

PURPOSE

- 1.1.1. The prime asset of Grand County (hereinafter referred to as the "County") is its employees. Providing a safe work place should be a standard in the County. Throughout the nation substance abuse has been linked to numerous on-the-job accidents. Employees not only endanger themselves when they are impaired, but also their fellow workers. The purpose of this policy is to outline County standards and procedures for dealing with employee alcohol and drug abuse.
- 1.1.2. Alcohol and drug abuse may adversely affect the quality of our service, pose safety and health risks to the user and others, have a negative impact on work efficiency and result in danger to or loss of equipment and property.
- 1.1.3. In order to provide high quality service to our clients and a safe, healthful and efficient work environment, the County requires its employees to report for work fit to perform their jobs.
- 1.1.4. Because of the many problems that may result from employee substance abuse, the County has decided to pursue an alcohol and drug policy that allows zero tolerance. To this end the County has established the following policies and procedures dealing with employee alcohol and drug abuse.

STATEMENT OF POLICY

- 2.1 To ensure a safe and productive work environment at all County facilities and to safeguard County property, the unlawful manufacture, distribution, dispensation, possession, use, sale or transfer of alcohol, drugs or controlled substances on any County premises, work sites or during County work time, is strictly prohibited, except for prescription drugs (see Section VI).
- 2.2 No employee may report for work, go to or remain on duty while under the influence or impaired by alcohol or any drug or controlled substance, except for prescription drugs (see Section VI). If an employee reports for work, goes to or remains on duty while under such influence, disciplinary sanctions will be imposed. Any employee of the County may be required to submit to a test of his/her saliva, urine, breath or blood for the purpose of determining the alcohol or drug content within their system upon request of his/her supervisor, having reasonable suspicion that the employee is under the influence of alcohol or drugs.
- 2.3 County vehicles, as well as private vehicles, parked on premises or work sites are locations

included within this prohibition. At no time shall a County vehicle be operated while an employee is under the influence of drugs or alcohol.

2.4

- a. As a condition of employment, employees must agree to abide by this policy. Such condition of employment does not create a contract of employment, but rather is a prerequisite to hiring or continued employment of any employee.
- b. As a condition of employment, employees must agree to report to the Grand County Human Resources Department any alcohol or criminal drug statute conviction for a violation occurring in the work place or while on duty. Such report must be made within five days of the date of conviction. *"Conviction" means a finding of guilt, a plea of nolo contendere or imposition of a sentence of a deferred sentence by any state or federal court.*
- c. If the employee's job involves a contract with a federal agency for procurement of goods or services for such agency, or federal grant funds such conviction will be reported to the federal agency within ten days of Grand County receiving the report required by **Section 2.4 (b)**.

2.5

- a. This policy applies to all personnel, including supervision and management. Compliance with this policy is required as a condition of continued employment.
- b. Any employee found in violation of this policy will be subject to disciplinary sanctions as set forth in the **Grand County Personnel Manual, Chapter 7**. The sanctions may include dismissal. Other actions including notification of appropriate law enforcement agencies may be taken in response to a violation of the policy.
- c. Grand County maintains an employee assistance program (**EAP**). An employee found to have violated this policy may be required to participate in the EAP as a condition of continued employment, if dismissal is not imposed. Participation in the **EAP** may be required in addition to or in lieu of any other actions that may be taken for violation of this policy.

2.6 Grand County shall establish a "drug free" awareness program. This program shall inform the employees about the dangers of drugs in the work place; Grand County's policies set forth herein; the availability of **EAP**; and the penalties, including disciplinary sanctions that may be imposed upon employees for drug abuse violations.

DISSEMINATION OF POLICY:

3.1

- a. This policy shall be disseminated to all employees by posting in each department.

b. Each employee working in a job that involves a contract for procurement of goods and services by the federal agency in an amount of **\$25,000.00** or more, or involving any federal grant funds, shall be given, and shall sign a receipt for, a copy of the statement of policy set forth at **Section II** above.

3.2 Existing employees will receive a copy of the "**Statement of Policy**".

3.3 New Hires shall be given a copy of this policy by the **Human Resources Department** to read at or before the time of hiring, and sign an acknowledgment of the policy.

DEFINITIONS

4.1 Alcohol or Alcoholic Beverages: "Alcohol" means beer, wine and all forms of distilled liquor containing ethyl alcohol. References to use or possession of alcohol include - use or possession of any beverage, mixture or preparation containing ethyl alcohol.

4.2 Drug: "Drug" means any substance (other than alcohol) that has known mind or function altering effects on a person, including psychoactive substances and including but not limited to, substances prohibited or controlled by Colorado and federal controlled substances laws.

4.3 Prescribed Drug: "**Prescribed Drug or Prescription**" means any substance prescribed for the individual consuming it by a licensed medical practitioner.

4.4 Under the Influence: "**Under the Influence**" means being unable to perform work in a safe and productive manner, or being in a physical or mental condition which creates a risk to the safety and well being of the individual, other employees, the public, or County property. The '**symptoms**' of influence and/or impairment are not confined to those consistent with misbehavior, or to obvious impairment or physical or mental ability such as slurred speech or difficulty in maintaining balance. **AN EMPLOYEE WILL BE PRESUMED TO BE IMPAIRED AND IN VIOLATION OF THIS POLICY WHENEVER THE PRESENCE OF DRUGS IN EXCESS OF A TRACE OR A BLOOD ALCOHOL CONTENT LEVEL OF .02 GRAMS OR GREATER OF ALCOHOL PER HUNDRED MILLILITER OR BLOOD OF .02 GRAMS OR GREATER OF ALCOHOL PER 210 LITERS OF BREATH IS DETECTED IN A SUBSTANCE ABUSE TEST ADMINISTERED UNDER THE TERMS OF THIS POLICY.**

INSPECTIONS AND SEARCHES:

5.1 County Vehicles, lockers, desks, filing cabinets, files, etc., remain the property of the County and if management has reason to suspect that employees may be in violation of the terms of this policy such property may be subject to County initiated searches at any time and without notice.

5.2 Any employee of the County who operates any motor vehicle in connection with his employment with the County may be required to submit to a test of his/her saliva, urine, breath or blood for the purpose of determining the alcohol or drug content within their system upon

request of his/her supervisor, having reasonable suspicion to believe that the employee is under the influence of alcohol or drugs.

5.3 All employees of the **Road and Bridge Department** may be required to submit to a test of his/her breath, saliva or urine for the purpose of determining the alcohol or drug content within his/her system in addition to and including regulations by the U.S. Department of Transportation Federal Highway Administration. To comply with Commercial Driver License (CDL) rules, the Road and Bridge Department shall require random testing and post accident testing. They may also require pre-employment testing.

Any employee covered by this policy who refuses or fails a drug or alcohol test will immediately be removed from operating a commercial vehicle. The refusal by any employee covered by this policy to submit to a drug or alcohol test shall be cause for immediate dismissal. Failure of a drug or alcohol test by an employee will be cause for management/supervision intervention that may result in referral to mandatory treatment or disciplinary action up to and including termination.

The Road and Bridge Department has contracted with National M.R.O. to do required drug and alcohol testing. The M.R.O. randomly selects and makes the final determination or results. Confidentiality of test results is required by law.

5.4 Any employee of the **Sheriff's Department** may be required to submit to a test of his/her urine, saliva, breath or blood for the purpose of determining the alcohol or drug content within his/her system upon the request of the **sheriff, undersheriff, or shift supervisor**, having reasonable suspicion to believe that the employee is under the influence of alcohol or drugs.

5.5 Any employee of the **Emergency Medical Services Department** may be required to submit to a test of his/her urine, saliva, breath or blood for the purpose of determining the alcohol or drug content within his/her system upon the request of the **E.M.S. director** or his designee having reasonable suspicion to believe that the employee is under the influence of alcohol or drugs.

USE OF PRESCRIPTION AND/OR OVER-THE-COUNTER DRUGS:

6.1 Any employee who is using a prescribed or over-the-counter drug and who has been informed, has reason to believe or feels that the use of any such drug may affect his/her ability to perform his/her job duties safely and/or efficiently is required to report such drug use to his/her supervisor or to the County Manager or Human Resources Assistant.

6.2 In those circumstances where the use of a prescribed or over-the-counter drug is inconsistent with the safe and efficient performance of duties, an employee may be required to take sick leave, a leave of absence, or other actions determined to be appropriate by the County management.