



NORFOLK VOLUNTEER FIRE DEPARTMENT, INC



Serving Norfolk and surrounding communities since 1902

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Drug Free Workplace
Policy & Procedure
February 2023

I. Overview and Purpose

The Norfolk Volunteer Fire Department and Town of Norfolk is committed to providing a safe, healthy, and a productive environment. Drug and alcohol abuse can be detrimental to the safety, performance, productivity, and morale of members. This drug-free policy implements reasonable measures to ensure that any member's use of drugs or alcohol does not jeopardize our operations or otherwise adversely affect our members or the general public.

II. Definitions Under This Policy

“Cannabis” means all parts of any plant, or species of the genus cannabis containing more than 0.3% Tetrahydrocannabinol (THC) by dry weight. “Cannabis” does not include hemp or products derived from hemp.

“Drugs” means any substances listed as a Schedule I, II, or III drug by the Drug Enforcement Administration. For the purposes of this Policy, the term “drugs” includes, but is not limited to, any form of Cannabis. The term also includes prescription drugs obtained illegally and prescription drugs not being used for prescribed purposes.

“Premises” includes the Fire Station grounds, parking lot, or locations owned by the Town of Norfolk in addition to vehicles owned, leased, and/or operated in connection with the Norfolk Volunteer Fire Department or town of Norfolk.

“Prescription Drug” means prescribed and over-the-counter drugs legally obtained and being used for the purpose and in the manner for which they were prescribed and/or manufactured.

"Under the Influence" means that the member is affected by any legal or illegal drug, or alcohol (or the combination of any drug and alcohol) in any detectable manner. The symptoms of being under the influence include, but are not limited to, misbehavior, obvious diminishment of physical or mental capabilities, slurred speech, or difficulty maintaining balance.

III. Assistance For Those Who Voluntarily Seek Help

The NVFD and Town of Norfolk maintains a policy of non-discrimination and reasonable accommodation with respect to individuals recovering from substance abuse, and those having a medical history reflecting treatment for substance abuse conditions. We encourage members to seek assistance before their drug and/or alcohol use renders them unable to perform their essential job functions or jeopardizes the health and safety of themselves or others. A member who seeks assistance to address drug or alcohol problems prior to any violation of this policy will not be held to Article 7, Section 6 of the NVFD By-Laws pertaining to attendance at practices and meetings given they participate in a rehabilitation program if necessary. Voluntary requests for assistance will not prevent corrective action for subsequent violations of this policy or for failure to meet performance standards. Members who undergo voluntary counseling and/or treatment and who continue to volunteer must meet all established standards of performance and conduct and fulfill treatment requirements. The NVFD and Town of Norfolk will keep any information concerning an individual's drug and/or alcohol abuse confidential.

IV. Drug and Alcohol-Free Workplace Requirements

- A. Drugs and Alcohol

The unlawful use, consumption, manufacture, distribution, purchase, sale or offer of sale, transfer, or use of drugs by any member, while at the firehouse, while on duty, or while operating a vehicle or machine leased or owned by the NVFD or Town of Norfolk is strictly prohibited. Further, no member may consume or be under the influence of alcohol or any drug (or combination thereof) during training, meetings, responding, or while operating a vehicle or equipment owned or leased by the NVFD or Town of Norfolk.

The NVFD and Town of Norfolk prohibits the use or other consumption of cannabis by all members and contractors while on the premises or performing job duties subject to certain exceptions as set forth in Connecticut Public Act No. 21-1, An Act Concerning Responsible and Equitable Regulation of Adult-Use Cannabis (RERACA). Nothing in this policy will prohibit the possession of medical marijuana by a qualifying patient in accordance with RERACA.

The NVFD and Town of Norfolk generally views the off-duty conduct of our employees to be their own private business. However, we do expect members to respond and train in a fit condition to perform their job. Any employee who is arrested or charged with violating any laws regarding the use of alcohol or drugs must follow the NVFD By-Laws and Discipline policy of self suspending and notification to the Chief or President within 72 hours.

- **B. Prescription Drugs**

The legal use of personally prescribed drugs is permitted on the job only if it does not impair a member's ability to perform the essential functions of the job effectively and in a safe manner that does not endanger other individuals in the fire house or during an incident.

The lawful use of prescription drugs is permitted only if it does not impair a member's ability to perform the essential functions of the members job in an effective and safe manner. Prescription drugs must only be used only in the manner, combination, and quantity as prescribed by the members health care provider. Members are prohibited from being under the influence of legal drugs on department or Town property, while on duty, or while operating department equipment or in any vehicle if such drugs have a tendency to impair an individual's mental or physical ability to work or drive in any way, or jeopardizes the safety of the employee or other individuals at work. If the employee knows or has reason to believe that his/her motor coordination skills, physical or mental ability, and/or regular work activities could be impaired while taking any prescription drug, the employee shall immediately notify the fire chief or president that he or she is taking a drug which may cause such impairment to their work performance, along with the nature of the impairment. The employee should not disclose the medication he or she is taking. The NVFD or Town of Norfolk may ask for a medical certification from the employee's treating physician regarding the employee's ability to safely and effectively perform his or her job functions with or without any work restrictions. Members must keep all prescribed medicine in its original container and securely stored. An employee who has prescription drugs in their possession must not sell or distribute them to any other person.

V. Policy Enforcement

The NVFD and/or Town of Norfolk may take appropriate corrective or adverse employment action based upon, (a) a reasonable suspicion of an employee's use or impairment by alcohol, cannabis, or other drugs while on the premises or engaged in the performance of an employee's work, or (b) if the NVFD or Town of Norfolk determines that a member manifests specific, articulable symptoms of impairment that negatively affects the members job performance. "Articulable symptoms" include, but are not

limited to: (a) symptoms of the members speech, physical dexterity, agility, coordination, demeanor, irrational or unusual behavior, or negligence or carelessness in operating equipment or machinery, (b) disregard for the safety of the member or others, or involvement in any accident that results in serious damage to apparatus, equipment or property, (c) disruption of an incident or emergency scene, or (d) carelessness that results in any injury to the member or others.

Whenever a member has articulable reasonable suspicion that the behavior and/or action(s) of a fellow member may be related to the use of drugs or alcohol in violation of this policy, the member must report that suspicion to the Fire Chief or president.

VI. Drug Testing

The NVFD or Town of Norfolk may require an employee to undergo a urinalysis drug test in accordance with Connecticut law (Conn. Gen. Stat. 31-51t through 31-51aa) whenever it has reasonable suspicion that the member is under the influence of drugs or alcohol which adversely affects or could adversely affect such members' job performance. Information related to test results and other medical or health-related information disclosed by members will be kept confidential and maintained in separate files in accordance with applicable law.

VII. Compliance and Violations

Membership or continued membership with the NVFD is conditioned upon full compliance with this policy. Any violation of this policy may result in disciplinary action up to and including termination. Furthermore, any member who violates this policy or who voluntarily seeks assistance may be required, in connection with or in lieu of disciplinary actions, to participate in and successfully complete a department/town-approved drug and/or alcohol assistance or rehabilitation program as a condition of continued membership.