



GOODYEAR POLICE DEPARTMENT

Policy and Procedure Manual
POLICY 2.04
ALCOHOL AND DRUG USE

Effective:
08/08/2024

Replaces:
08/26/2022

Approved:

1. PURPOSE AND SCOPE

1. The intent of this policy is to deter the misuse or abuse of legal or illegal substances that create a threat to the safety and health of any employee or member of the public. The Goodyear Police Department discourages alcohol and drug abuse and strives to achieve a work force free from the influence of drugs and alcohol (ARS Title 23, Chapter 2, Article 14). Employees may not possess, use, consume or assist in the consumption of any drug that would be a violation of state or federal law.
2. The Goodyear Police Department has the responsibility to provide the community with the highest level of police services and to ensure that its employees have the physical and mental abilities to perform their assigned duties. Therefore, in order to insure the integrity of the department and to preserve the public trust and confidence, this department has implemented the following drug-testing policy to insure a drug-free work-place.
3. This policy is intended to support and supplement City Policy and Guidelines as related to alcohol and drug use.

2. DEFINITIONS

1. **SCREENING/DRUG TEST:** The compulsory production and submission of a urine sample by an employee in accordance with departmental procedures for chemical analysis to detect prohibited drug usage

3. ALCOHOL/SUBSTANCE ABUSE

1. Employees, on or off-duty, will not abuse any controlled substance or legal substance that would impair them to such a state that would discredit the Goodyear Police Department. Employees on or off-duty should recognize that excessive consumption of alcohol resulting in disorderly conduct or driving while intoxicated violates State and local law.

4. GENERAL GUIDELINES

1. The consumption of illegal drugs is strictly prohibited and the consumption of alcohol by on-duty personnel is prohibited.
2. Employees who have consumed an amount of an alcoholic beverage or taken any medication that would tend to adversely affect their mental or physical abilities shall not report for duty. The affected employee shall notify, in writing, the Watch Commander or appropriate supervisor as soon as the employee is aware that he/she will not be able to report to work prior to the start of his/her shift.

A. PURCHASE OR POSSESSION OF DRUGS OR ALCOHOL ON-DUTY

1. Department employees shall not purchase or possess alcohol or other controlled substances on City property, at work or while on-duty, unless otherwise authorized by City or department policy. Department employees shall not illegally manufacture any alcohol or drugs.

B. USE OF MEDICATIONS

1. Department employees shall immediately inform their supervisor if they are taking any medication(s) that may impair the employee's ability to fully and/or safely perform all of the employee's job duties. No employee shall be permitted to drive a City vehicle while taking such potentially impairing medication.

C. DRIVING UNDER THE INFLUENCE (DUI)

1. Employees will not operate any vehicle while impaired. If arrested for DUI by any law enforcement agency, employees will notify their supervisor immediately. An administrative investigation will be conducted along with any criminal investigation.

5. EMPLOYEE ASSISTANCE PROGRAM

1. There is a voluntary employee assistance program to assist employees who wish to seek help for alcohol and drug problems. There may also be available a variety of insurance coverage which provide treatment for drug and alcohol abuse. Employees may contact the Human Resources Department, their insurance provider or the Employee Assistance Program for additional information.
2. Employees who experience drug or alcohol problems are encouraged to seek referral for rehabilitation through the Employee Assistance Programs or their insurance provider. It is the responsibility of each employee to seek assistance before alcohol or drug problems lead to performance problems.

6. WORK RESTRICTIONS

1. Employees will not report to duty while impaired to any degree by the use of any drug or alcohol or with a blood alcohol content greater than .00. If an employee informs a supervisor that he/she has consumed any alcohol, drug or medication that could interfere with the safe and efficient performance of his/her duties, the employee may be required to obtain clearance from his/her physician before he/she returns to work.

7. ALCOHOL AND DRUG TESTING

1. The Goodyear Police Department follows the state standards and requirements relating to testing for the presence of alcohol and drugs as regulated by law. All employees of this department are subject to alcohol and drug testing (ARS § 23-493.04(A)). Refusing or failing to participate in or complete an alcohol or drug test will result in termination. See City Guideline 1020.
2. Employees have the right to obtain written results of any testing performed and an explanation of the results. Employees also have the right to explain in a confidential setting, a positive test result. The testing process and results shall remain confidential as required by law.

8. SCREENING TESTS

1. The Department may require an employee to submit to a screening test under a variety of conditions including, but not limited to:
 - A. An investigation of possible individual employee impairment.
 - B. An investigation of an accident in the workplace, provided the testing is performed as soon as practicable after an accident and is administered to employees whom it is reasonable to believe may have contributed to the accident.
 - C. The maintenance of safety for employees or the public at large, including:
 1. Discharge of a firearm, other than by accident.
 2. Driving a motor vehicle in such a manner as to cause bodily injury to him/herself or another person or damage to property.
 - D. When there is reasonable suspicion that an employee may be affected by the use of drugs or alcohol and that the use may adversely affect the job performance or the work environment.
 - E. When performed as part of a drug or alcohol testing program based on a random or chance basis.
2. SUBSTANCES FOR WHICH TESTING MAY BE REQUIRED

- A. The Department may test for alcohol and/or any substance considered unlawful under state or federal controlled substance schedules, including prescription drugs or over-the-counter compounds

3. TESTING PROCEDURE

- A. Testing procedures will be conducted in accordance with City policy and guidelines. Generally testing of employees shall occur during, or immediately before or after, a regular work period. The testing, and travel time if required, will be deemed work time for the purposes of compensation for all paid employees.

4. REASONABLE SUSPICION TESTING

- A. When a supervisor has reasonable suspicion based upon specifically observed behavior or specific evidence, to believe that an employee is under the influence of alcohol or drugs, they should immediately ensure the safety of the employee and other employees by removing the employee from the work site. Immediately following that action they shall contact the Watch Commander and Division Manager for verification.
- B. Indications that an employee is impaired from controlled substances or alcohol include but are not limited to appearance, behavior, speech or body odors of the employee, slurred speech, red eyes, dilated pupils, incoherence, unsteadiness, unexplained carelessness or accidents, erratic behavior, inability to perform the job and other unexplained behavioral changes.
- C. The supervisor will explain to the employee the City's concern for their safety and the safety of fellow employees. The employee will be given an opportunity to explain as to the reason why the reasonable suspicion should not be believed to infer that the employee is under the influence of alcohol or controlled substances.
- D. If the Watch Commander and a supervisor concur that testing should occur, documentation shall be made as to specific observations made and then the supervisor or designee will drive the employee to the testing site and then home pending the test results.
- E. The employee will be placed on paid administrative leave pending notification of the test result. A refusal to test shall be considered a positive test result.
- F. The employee's supervisor is responsible for notifying the employee of required testing. The Professional Standards Division shall also be notified whenever a determination is made that testing is to be performed for other than random testing. Testing will not be rescheduled or delayed to accommodate consultation with a union representative or attorney.

5. RANDOM DRUG TESTING

- A. All sworn personnel are subject to random testing each quarter when selected by a computer-generated program.
- B. DRUG TESTING PROCEDURE: The Professional Standards Division Lieutenant manages the mandatory random drug-testing program.
 - 1. The PSD Lieutenant or designee will notify each selected employee's supervisor and provide the necessary paperwork. It will be the supervisor's responsibility to issue the paperwork to the employee during working hours. Employees will go to the private laboratory where the drug test will be administered and specimens obtained
 - 2. The employee will fill out and sign a records release form and a chain of custody form, both available at the laboratory

6. EMPLOYEE RESPONSIBILITY

- A. The employee shall present picture identification to the vendor. The employee shall obtain signed written verification from the vendor's agent indicating the date and time the employee arrived for testing and that a sample has been provided. The employee shall return the signed verification to his/her supervisor as soon as practicable after returning to work.
- B. Employees shall follow the vendor's procedures and instructions regarding the collection and security of the specimen. Employees shall provide a fingerprint if requested by the vendor.

7. TEST RESULTS

- A. The Professional Standards Division should obtain testing results of the collection of the specimen. The employee may obtain written test results by contacting the Professional Standards Division Lieutenant. Results that tested positive in both the initial and the confirmatory tests shall be forwarded to the Chief of Police. The test results from an administratively compelled test will not be used in criminal proceedings.

9. CONFIDENTIALITY

1. The Department recognizes the confidentiality and privacy due employees and disclosure of any information relating to chemical abuse treatment, except on a need to know basis, shall only be with the express written consent of the employee involved or pursuant to lawful process. The written results of any screening test may be provided to the employee but will remain confidential and separate from the employee's other personnel files.

10. WATCH COMMANDER RESPONSIBILITIES

1. Safety of individuals and the protection of property are of great importance to the Department and are the combined responsibility of all Department employees. It is imperative that the Watch Commander recognizes the importance of this responsibility and shall strive to provide a safe, healthful place to work. The Watch Commander shall ensure that all employees suspected of violating this policy are treated with respect throughout the procedures outlined in this policy.
2. Upon notification of a situation that has led a supervisor to believe that an employee is impaired and requires reasonable suspicion testing, the Watch Commander will ensure that at least two independent and objective supervisors/managers agree that there is reasonable suspicion. This is to provide an objectively reasonable assessment of the facts and observations.
3. If the criteria in this policy are met for the placement of an employee on paid administrative leave, the Watch Commander shall contact the Chief of Police or designee for guidance.