



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: Human Resources
Department No.: 064
For Agenda Of: January 25, 2022
Placement: Administrative
Estimated Time:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Maria Elena De Guevara, Human Resources Director
Director 568-2816
Contact Info: Robert Clark, Employee Relations Manager
568-2829
SUBJECT: Drug-Free Workplace Policy Update

County Counsel Concurrence

As to form: Yes

Other Concurrence:

As to form: N/A

Auditor-Controller Concurrence

As to form: N/A

Recommended Actions:

That the Board of Supervisors:

- A. Approve an updated Drug-Free Workplace Policy as set forth in Attachment A, and
- B. Determine pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15378(b)(4) that the above action is a government fiscal activity which does not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment, and therefore is not a project subject to environmental review.

Summary Text:

The Drug-Free Workplace Policy has been updated to include a reference to the California Drug-Free Workplace Act of 1990, and to specifically require the that County conduct a Drug-Free Awareness Program. It has also been reformatted to reflect the updated policy formatting. The draft policy was circulated to all recognized employee organizations for review and comment prior to being finalized.

Background:

The County is required to certify compliance with the Federal Drug-Free Workplace Act of 1988, 41 U.S.C. § 8103 and the California Drug-Free Workplace Act of 1990 (Govt Code § 8350-8357)

as a grant condition. The acts specifically require that the County conduct a drug-free awareness program to inform employees of:

- a) The dangers of drug abuse in the workplace;
- b) The County's policy of maintaining a drug-free workplace;
- c) Counseling, rehabilitation and employee assistance programs available to the employees;
and
- d) Penalties that may be imposed upon employees for violation of the policy.

The policy is being updated to add a reference to the California Act, and to specifically reference the Drug-Free Awareness Program. It has also been reformatted to reflect updated policy formatting specifications. The Human Resources Department is developing the Drug-Free Workplace Program. All new employees will be required to certify that they have read the Drug-Free Workplace Policy, and fully understand that drugs are a danger in the workplace and that they may be subject to termination if they violate the requirements of the policy.

Both the current policy and recommended update inform employees of the employee assistance program, through which they can seek information and assistance for any drug related problems. Any requests for information or treatment under that program are entirely confidential, and no employee will be retaliated against for accessing the employee assistance programs.

Fiscal and Facilities Impacts:

Budgeted: Yes

Fiscal Analysis:

The cost associated with development and implementation of the Drug-Free Awareness Program will be covered by the existing Human Resources Department budget.

Attachments:

Attachment A: Proposed Updated Drug-Free Workplace Policy

Attachment B: Current Drug-Free Workplace Policy

Authored by: Robert Clark

cc: Mona Miyasato, County Executive Officer
Rachel Van Mullem, County Counsel