

City of Westminster - 2020 Personnel Policies and Rules

Summary of Changes by Section

Effective September 28, 2020

II. DEFINITIONS

Change: (page 9) - Remove “performance expectations memo” from the definition of Disciplinary Action. HR and CAO Staff have long considered a performance expectation memo (PEM) to be a tool to help a supervisor coach an employee and not appropriate for discipline.

Disciplinary Action:

A written reprimand, ~~performance expectations memo~~, suspension, demotion, dismissal, or any other documented action taken in a disciplinary manner involving an employee

XIV. SUBSTANCE USE

Add additional definition to the Substance Use section.

Change (page 82)

(I). Prohibited Conduct Related to Substance Use: (2). Off Duty Conduct:

Off duty conduct and convictions related to use or abuse of alcohol or, use, abuse, possession, sale or distribution of controlled substances or abuse of other substances may be grounds for **a fitness for duty evaluation and adherence to a Continued Employment Agreement as well as** discipline under these rules.

Change (page 88)

(J). Types of Substance Testing (6). Follow-up Testing Pursuant To Continued employment Agreement:

When an employee tests positive for either alcohol or drugs, **admits to alcohol or drug use, or the City is aware of clear and convincing evidence that would give rise to concerns of substance abuse that has or would affect an employee in a safety sensitive position from fulfilling his/her job duties,** the City may elect to have the employee evaluated by a substance abuse professional designated by the City. If the substance abuse professional recommends that the employee needs assistance in dealing with an alcohol and/or drug abuse problem, and if the employee is permitted to return to work, the employee shall execute an agreement that addresses conditions of continued employment, including mandatory treatment and unannounced follow-up alcohol or drug tests. The number, type, and frequency of the tests will be decided by the Human Resources Director or Designee and the department head based on the recommendation of the substance abuse professional. There will be up to six (6) tests in the first twelve (12) months following the employee's return to work **unless more frequent or more extensive testing is recommended by a substance abuse professional.** Follow-up testing may occur up to sixty (60) months after the date of the employee's return to duty. Follow-up alcohol and substance tests shall be in addition to, and not a substitute for, any other testing required or permitted by these rules.