

ORDINANCE NO. 1991(5)

AN ORDINANCE OF HOPKINS COUNTY, KENTUCKY, RELATING TO A DRUG-FREE WORKPLACE AND PROHIBITING THE USE AND POSSESSION OF ILLEGAL DRUGS OR ALCOHOL BY EMPLOYEES OF HOPKINS COUNTY.

The Hopkins County Fiscal Court has determined that it is in the best interest of the health, safety and welfare of the citizens of Hopkins County to prohibit the use of alcohol or illegal drugs by any employee of Hopkins County, and to establish a policy and regulation concerning a drug-free workplace, and establishing policies and procedure to ensure compliance with the Drug-Free Workplace Act.

NOW THEREFORE, BE IT ORDAINED by the County of Hopkins, Commonwealth of Kentucky, as follows:

The Fiscal Court shall make themselves familiar with the provisions of the Drug-Free Workplace Act, and shall establish procedures to ensure that required certifications are made concerning the Drug-Free Workplace Act and shall establish policies and procedures to ensure compliance with the Drug-Free Workplace Act.

BE IT FURTHER ORDAINED that the Fiscal Court shall acquire copies of the Drug-Free Workplace Act and shall have copies of this Act circulated and made available to all employees.

BE IT FURTHER ORDAINED that the Fiscal Court shall establish procedures to ensure that should any federal grants or grant activity be conducted, that proper certification is made providing that the conduct of the grant activity will be drug-free

and the Fiscal Court shall establish procedures to ensure that required certifications are filed with appropriate federal grantors, should the County obtain federal grants.

BE IT FURTHER ORDAINED that the Fiscal Court shall establish policies and procedures to ensure compliance with the Drug-Free Workplace Act.

BE IT FURTHER ORDAINED that the Fiscal Court shall prepare a written policy statement regarding a Drug-Free Workplace stating that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance or alcohol is prohibited in the Fiscal Court's workplace and in any County employee's workplace, and providing for specific actions that shall be taken against employees for violation of such prohibition. Said policy shall further stipulate that as a condition of employment under any federal grant, employees will abide by the terms of the policy statement and will notify the Fiscal Court or County Judge/Executive in writing of any criminal drug statute convictions for a violation occurring in the County workplace no later than five (5) calendar days after such conviction.

BE IT FURTHER ORDAINED that the Fiscal Court shall establish procedures to be followed on notification that an employee engaging in the performance of the federal grant has been convicted of a criminal drug violation occurring in the workplace and that those procedures shall be written and distributed to all appropriate county personnel. Said procedures shall require that

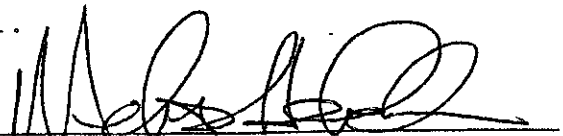
the federal grantor be notified in writing within ten (10) calendar days after receiving notice that an employee engaging in the conduct of a federal grant had been convicted of a criminal drug violation, and within thirty (30) days of receiving notice of the drug violation appropriate personnel action shall be taken against said employee.

BE IT FURTHER ORDAINED that the convicted employee shall participate satisfactorily in a drug abuse assistance or rehabilitation program approved for said purposes by a federal, state or local health, law enforcement or other appropriate agency.

BE IT FURTHER ORDAINED that the foregoing shall apply to all employees of Hopkins County, except any law enforcement official that may be acting within the course or scope of their employment by seizing, transporting or storing alcoholic beverages or illegal drugs incident to criminal investigations and/or prosecutions.

BE IT FURTHER ORDAINED by the County of Hopkins that each employee of Hopkins County shall acknowledge his or her understanding of the foregoing ordinance of the County of Hopkins relating to a drug-free workplace.

UPON MOTION by Squire Fugate, second by Squire Welch, first reading was held and approved on the 19th day of September, 1991.


Melvin D. Hicklin
Hopkins County Judge/Executive

Attest:

William T. Brooks
William T. Brooks, Clerk

On Motion of Squire Fugate and
seconded by Squire Barton second reading
held on the 3rd day of October, 1991, and passed on the
3rd day of October, 1991.

Melvin D. Hicklin
Melvin D. Hicklin
Hopkins County Judge/Executive

Attest:

William T. Brooks
William T. Brooks, Clerk

TRUE ATTEST COPY

William T. Brooks, Clerk
Hopkins County Court

By Grace Taylor D. C.
Date Oct. 25 1991