



## **Town of Chester Alcohol, Drug Free Workplace Policy**

Last Updated: 12/24/2025

Approved: 12/29/2025

### **Introduction**

It is the intent the Town of Chester to provide a working environment that is free from the use of non-prescribed drugs, alcohol or marijuana. Drug, alcohol and marijuana use while on duty is detrimental to the safety and productivity of our employees and the citizens of the Town. No employee may be under the influence of any illicit drug, alcohol or marijuana while on duty or while representing the Town in business dealings.

The unlawful manufacture, use, possession, distribution, transfer, purchase, sale, or being under influence of illegal drugs, alcohol or marijuana while engaged in activities related to the employee's work for the Town or while on duty is strictly prohibited and may lead to disciplinary action, up to and including termination. When appropriate, the employee may be referred to approved counseling or rehabilitation programs. All employees must comply with this policy as regards the conditions of employment.

Employees may use physician-prescribed or over-the counter medications, provided that the use of such drugs does not adversely affect job performance or the safety of the employee or other individuals in the workplace. Employees who are taking prescription drugs or other medication that may affect their ability to work safely must report this information to their supervisor and may be required to submit a physician's statement that the use of the drug will not impair their ability to work safely.

### **Reasonable Suspicion Testing**

Drug or alcohol testing may be required of any employee whenever, in the sole judgment of management, "reasonable suspicion" exists that the employee is under the influence of a controlled or prohibited substance. Employees who test positive for the presence of alcohol or illegal drugs or who refuse to be tested will be terminated.

### **Post-Accident Testing**

Work-related accidents or injuries, whether on or off Town property, may result in drug or alcohol testing for any employees where the circumstances of the accident or injury suggest that substance abuse could have had an effect on the employee's behavior and/or were the cause of the accident or injury. Employees who test positive for the presence of alcohol, marijuana, or illegal drugs or who refuse to be tested will be terminated.

### **Workplace Searches**

To safeguard the property of our employees, our citizens, and the Town of Chester, and to help prevent the possession, sale, and use of illegal drugs on the Town of Chester's premises, in keeping with the spirit and intent of the Town of Chester's drug-free workplace policy, the Town of Chester reserves the right to question employees and all other persons entering and leaving our premises, and with reasonable suspicion, to inspect any packages, parcels, purses, handbags, briefcases, lunchboxes, or any other possessions or articles carried to and from the Town of Chester's property. In addition, the Town of Chester reserves the right to search any employee's office, desk, files, locker, or any other area or article on our premises. In this connection, it should be noted that all offices, desks, files, lockers, and so forth, are the property of the Town of Chester, and are issued for the use of employees only during their employment with the Town of Chester. Inspections may be conducted at any time at the discretion of the Town of Chester.

In conjunction with the implementation of this policy, the Town of Chester will post notices in conspicuous places throughout our facilities informing all employees, prospective employees, customers, visitors, and all other persons of the Town of Chester's policy and right to question individuals and conduct inspections.

Persons entering the premises who refuse to cooperate in an inspection conducted pursuant to this policy will not be permitted to enter the premises. Notice will be given immediately to the Selectboard regarding employees who are working on, entering or leaving the premises, who have refused to cooperate in an inspection, or are believed to be in possession of stolen property or illegal drugs after said inspection. Said employees will be subject to disciplinary action up to and including termination, if on investigation they are found to be in violation of the Town of Chester's security procedures or any other of the Town of Chester rules and regulations.

### **Cigarettes, Cigars, and Other Tobacco or Nicotine Products**

Pursuant to Massachusetts General Laws, including but not limited to Chapters 64C, 111, and 270, and applicable regulations of the Massachusetts Department of Public Health, the Town regulates the sale, use, possession, and distribution of cigarettes, cigars, and other tobacco or nicotine products in order to protect public health and safety.

For the purposes of this policy, tobacco or nicotine products shall include, but are not limited to, cigarettes, cigars, little cigars, smokeless tobacco, electronic cigarettes, vaping devices, nicotine delivery systems, and any component, liquid, or accessory used in such products.

The use of tobacco or nicotine products is prohibited in all municipal buildings, facilities, vehicles, and on town-owned or town-controlled property, including parks, recreational areas, and outdoor spaces where prohibited by state law, local bylaw, or regulation of the Board of Health.

Violations of this policy will result in enforcement actions, including and up to termination.

Print Name:

Signature:

Position:

Date:

2 Where documentation is required, employees who do not have health care coverage through a private insurer, the Massachusetts Healthcare Connector and related insurers, or an employer that provides health insurance to employees may provide a signed, written statement evidencing the need for the use of the earned sick time, without being required to explain the nature of the illness, in lieu of documentation by a health care provider. Employers using their own verification form shall not require any additional information beyond what is required under M.G.L. c. 149, § 148C.