



# KERN COUNTY PROBATION DEPARTMENT

## Policies And Procedures

TITLE: <b>Alcohol and Drugs</b>		Article: 1404.01	
APPROVED: <b>TR Merickel, Chief Probation Officer</b>			
EFFECTIVE: December 2016	REVIEWED: August 2018	REVISED: December 2016	UPDATED: December 2016

### POLICY

In addition to the provisions of the Alcohol and Drug Policy of the County of Kern governing the behavior of all County employees, no employee of the Probation Department, while on duty, shall be under the influence of or otherwise engage in the use, possession, transport, purchase, sale, or other distribution of alcohol or any controlled substance. (Unless the use is because of a doctor's prescription and the immediate supervisor is notified of this issue.)

On November 8, 2016, Proposition 64, which legalized marijuana was passed by California voters. However, it is noted, under Federal law, marijuana is still illegal and classified as a schedule I drug. Therefore, marijuana use and possession in any form by employees will continue to be prohibited.

Employees shall not report for duty within (8) eight hours after the consumption of any alcoholic beverage, or report for duty with a blood alcohol concentration of .04 BAC, or higher.

Unless one of the following conditions exists:

- a. The possession occurs lawfully as a result of an on-duty seizure or processing of evidence as part of a criminal investigation.
- b. The employee came under the influence of a controlled substance as a result of an accidental contamination.

No employee of the Probation Department shall report for duty under the influence of a medication prescribed to them when the medication prevents that employee from safely or effectively performing their assigned duties.

In any situation where reasonable suspicion exists that a violation of this policy has occurred, a supervisor will immediately investigate. This may include the employee be required to submit to chemical testing.

1. If an employee reports a positive test for a controlled substance is the result of a prescription drug, the employee shall be instructed to provide adequate evidence of the prescription.

Any employee witnessing a possible violation of this policy shall immediately report their suspicion to their immediate supervisor (if the possible violation is by the immediate supervisor, the employee must report the incident to the next higher-ranking employee in their chain of command or to any other higher-ranking employee within the Probation Department).

**TITLE: Alcohol and Drugs**

**Article:  
1404.01**

**A positive result from a drug or alcohol analysis will result in appropriate personnel action which may include disciplinary action, up to and including, dismissal.**

(See also Civil Service code section 1705.14)