

## **DRUG FREE WORKPLACE**

### **POLICY**

It is the policy of the State of California (refer to Title2, Article 29, Rule 599.960 of the California Code of Regulations) and the California Exposition & State Fair that the State workplace be free from the effects of drug and alcohol abuse. This is to avoid the dangers arising from substance abuse in the workplace. These dangers include death and injury to the employee, co-workers, or the public resulting from accidents, dereliction of duty, poor judgment and carelessness. Substance abuse also results in lost productivity, reduced efficiency, and increased absenteeism by the substance abuser and interferes with the job performance of employees who do not use illegal or unauthorized substances.

This policy, which is consistent with Government Code section19572 and Governor's Executive Order D-58-86, states that no State employee who is on duty or on standby for duty shall

- (1) use, possess, or be under the influence of illegal or unauthorized drugs or other illegal mind-altering substances; or
- (2) use or be under the influence of alcohol to any extent that would impede the employee's ability to perform his or her duties safely and effectively.

Furthermore, no employee shall perform duties which, because of drugs taken under a legal prescription, the employee cannot perform without posing a threat to the health or safety of the employee or others. Employees whose job performance is restricted may be subject to reassignment, medical examination or other actions specified by applicable statutes and regulations.

California law also prohibits the unlawful manufacture, dispensation, possession, or illegal use of a controlled substance. The prohibition extends to all places and includes the work site of California State employees and includes all federally controlled substances, including marijuana and any derivatives.

In the event of this unlawful manufacture, distribution, dispensation, possession or illegal use of a controlled substance at a State work site, the State may take disciplinary action pursuant to applicable Government Code sections and/or require the satisfactory completion of a drug abuse assistance or rehabilitation program.

## Marijuana

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Despite the legalization of marijuana use and possession, legal restrictions prohibit smoking or ingesting marijuana in public places where smoking tobacco is prohibited per Health and Safety Code section 11362.3 (a).

The law expressly states it should not be construed or interpreted to:

- Restrict the rights and obligations of public and private employers to maintain a drug- and alcohol-free workplace;
- Require an employer to permit or accommodate the use, consumption, possession, transfer, display, transportation, sale, or growth of marijuana in the workplace;
- Affect the ability of employers to have policies prohibiting the use of marijuana by employees and prospective employees; or
- Prevent employers from complying with state or federal law.

Cal Expo is not required to and will not accommodate the use of marijuana or any derivatives in the workplace, or working under the influence of marijuana or impaired by marijuana or any derivatives, even if state law permits recreational use, or even if recommended by a health care provider.

The State of California maintains a drug- and alcohol-free workplace.

The State Employee Assistance Program (EAP) provides drug problem assessment and referral to appropriate counseling and rehabilitation services. The EAP is available to all State employees. Procedures exist to ensure the confidentiality of EAP records. Contact the Personnel Office for further information.

It is the intent of the State that each State employee abides by the terms of this drug free workplace statement.