

ORDINANCE NO. O-1992-9

BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF
GREENE, STATE OF ARKANSAS, AN ORDINANCE TO BE ENTITLED:

An ordinance amending the Employment Policy for Greene
County, Arkansas.

SECTION 1. Purpose: This ordinance is intended to offer
a Post Offer Pre-Employment Physical. This amendment should
become a part of Employment Policy, page 2, section 5.

SECTION 2. Purpose: This ordinance is intended to
create a Drug-Free Workplace. This amendment should become a
part of the Employment Policy, page 14, section 18.

SECTION 3. The above mentioned amendment to the
Employment Policy is attached to and becomes a part of this
Ordinance and the Greene County Employment Policy.

SECTION 4. Implementation Date: All parts of this
Ordinance and Policy shall be in full force and effective
from and after its passage.

SECTION 5. Repealer: All Ordinances or parts thereof in
conflict with this Ordinance are hereby repealed.

SECTION 6. Emergency Clause: This Ordinance being
necessary for the protection and preservation of public
health and safety, an emergency is hereby declared to exist
and this Ordinance shall be in force and shall take effect
immediately.

Dated this 28th day of December, 1992.

ATTEST:

APPROVED:


Greene County Clerk


Greene County Judge

AMENDMENT

This amendment to the Greene County Employment Policy should be inserted on page 2, section 5. It reads as follows:

Post Offer Pre-Employment Physicals

Post offer pre-employment physicals will be required for every applicant to be hired for the County in a permanent employment position. Such examinations shall be paid for by the County and shall be used to determine whether the applicant can perform the essential functions of the job with or without a reasonable accommodation. The examinations shall be performed by licensed physicians selected by the County. These medical files shall be maintained in the physician office with a summary report provided to the Personnel Director as to whether the employee can or cannot do the job and what, if any, restrictions are necessary to determine any work restructuring or accommodations. Although the physicians make the medical determinations relative to physical/mental requirements of the job and any direct safety threat determinations, any recommendations they make shall be subject to the decision by the County Judge to make, or not to make, reasonable accommodation. Only in cases of emergency may an employee begin work prior to the post-employment job offer medical examination, but employment is subject to passing such examination.

Reports and records of all physical, psychological and mental exams shall be kept in the offices of the physicians or mental health practitioners with only a summary report provided to the Personnel Director to be kept in a confidential file apart from the personnel file. Should there be a dispute concerning the exam, or should a supervisor be informed as to the need of reasonable accommodation including job restructuring, the report shall be made available to the necessary legal and supervisory or administrative personnel within the County Government.

This amendment should be inserted on page 14, section 18. It reads as follows:

Drug-Free Workplace

It is the policy of Greene County to create a drug-free workplace in keeping with the spirit and intent of the Drug-Free Workplace Act of 1988 and its amendments. The use of controlled substances is inconsistent with the behavior expected of employees, subjects all employees and visitors to county facilities to unacceptable safety risks and undermines the County's ability to operate effectively and efficiently. Therefore, the unlawful manufacture, distribution, dispensation, possession, sale or use of a controlled substance in the workplace or while engaged in county business for Greene County or on the county's premises is strictly prohibited. Such conduct is also prohibited during non-working hours to the extent that, in the opinion of the County, it impairs an employee's ability to perform on the job or threatens the reputation or integrity of the County.

To educate employees on the danger of drug abuse, the County has established a drug-free awareness program. Periodically, employees will be required to attend training sessions at which the dangers of drug abuse, the County's policy regarding drugs, and the availability of counseling will be addressed. Employees convicted of controlled substances related violations in the workplace must inform the County within five (5) days of such conviction or plea. Employees who violate any aspect of this policy may be subject to disciplinary action up to and including termination. At its discretion, the County may require employees who violate this policy to successfully complete a drug abuse assistance or rehabilitation program as a condition of continued employment.

All employees with on the job injuries that require medical attention will automatically be required to take a drug test.