

RESOLUTION NO. 87

RESOLUTION TO ESTABLISH A DRUG-FREE WORKPLACE FOR THE
TOWN OF MOUNT CARMEL, TENNESSEE

WHEREAS, the Town of Mount Carmel, Tennessee, wishes to be in full compliance with the Drug-Free Workplace Act of 1988 (Pub. L. 100-690, Title V, Subtitle D; 41 U.S.C. 701 et seq.); and

WHEREAS, the Town of Mount Carmel, Tennessee, desires to make application for funds from the United States Department of Agriculture, Farmers Home Administration, in the amount of approximately Three Hundred Thousand Dollars (\$300,000.00) to supplement the local funds available for sewer line extensions to Brookshire Hills, Kinkead Manor, Marshall Estates and Maple Hills all subdivisions within the Town of Mount Carmel, Tennessee; and

WHEREAS, the U.S. Department of Agriculture requires that the Town of Mount Carmel, Tennessee, certify that it will provide a Drug-Free Workplace in accordance with the above-noted federal law as further defined in 7 CFR Part 3017, Subpart F, Section 3017.600, "Purpose," which were published as Part II of the January 31, 1989 Federal Register (pages 4947-4952); and

WHEREAS, it is in the best interest of the employees of the Town of Mount Carmel, and the citizens of the Town of Mount Carmel, Tennessee, that such a Drug-Free Workplace be established;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF MOUNT CARMEL, TENNESSEE AS FOLLOWS:

SECTION ONE

There shall be published a statement notifying all employees of the Town of Mount Carmel, Tennessee, that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in any and all workplaces maintained by the Town of Mount Carmel, Tennessee, and specifying the actions that will be taken against employees for violation of such prohibition.

SECTION TWO

The statement referred to in Section One above shall be given to each and every employee of the Town of Mount Carmel, Tennessee, in a form substantially the same as that attached hereto as Exhibit A.

SECTION THREE

The statement referred to above shall state that as a condition of employment the employees of the Town of Mount

Carmel, Tennessee, will (1) abide by the terms of the statement and (2) notify the Town of Mount Carmel, Tennessee, of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction.

SECTION FOUR

The Town of Mount Carmel, Tennessee, shall notify the U.S. Department of Agriculture, Farmers Home Administration within ten (10) days after receiving such a notice in Section Three above from an employee or otherwise receiving actual notice of such conviction.

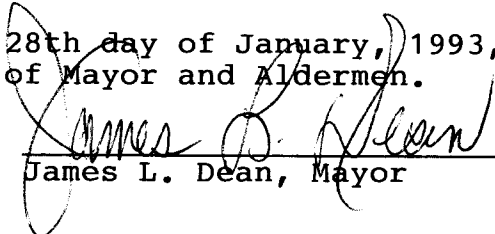
SECTION FIVE

The Town of Mount Carmel, Tennessee, shall, within thirty (30) days of receiving such a notice as provided for in Section Three above, with respect to any employee who is so convicted (1) take appropriate personnel action against such employee, up to and including termination; or (2) require such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State or local health, law enforcement, or other appropriate agency.

SECTION SIX

The Town of Mount Carmel, Tennessee, shall continue to maintain a Drug-Free Workplace by establishing a Drug-Free Awareness Program to inform employees about (1) the dangers of drug abuse in the workplace; (2) the Town's policy of maintaining a Drug-Free Workplace; (3) any available drug counseling, rehabilitation, and employee assistance programs; and (4) the penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.

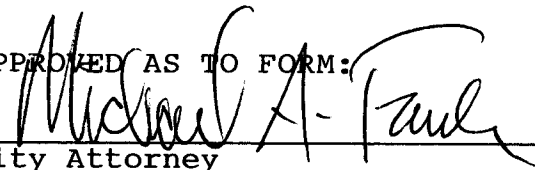
This Resolution adopted this 28th day of January, 1993, at a Regular Meeting of the Board of Mayor and Aldermen.


James L. Dean, Mayor

ATTEST


CITY RECORDER

APPROVED AS TO FORM:


City Attorney

TO:

FROM: James L. Dean, Mayor

RE: Drug-Free Workplace Requirements

By Resolution adopted January 28, 1993, the Town of Mount Carmel, Tennessee, has implemented a Drug-Free Workplace Program.

The unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited at any workplace maintained by the Town of Mount Carmel. Any employee violating this policy shall be terminated.

A condition of your continuing employment with the Town of Mount Carmel, Tennessee, requires your agreement that you will (1) abide by the terms of the above-noted statement; and (2) notify the Town of Mount Carmel, Tennessee, of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction.

Within thirty (30) days of receiving such a notice as noted above with respect to any employee who is so convicted the Town will (1) take appropriate personnel action against any such employee, up to and including termination; or (2) require such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State or local health, law enforcement, or other appropriate agency.

It is a requirement of the Drug-Free Workplace Program

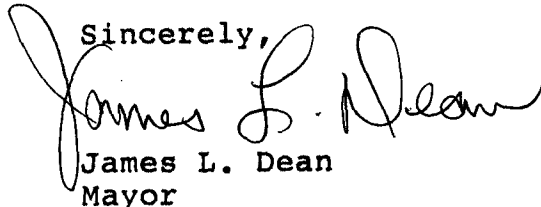
that you be given a copy of this statement, that you sign the statement acknowledging that you have received it, you understand it, and you agree to abide by it.

The Town in addition to this notification is going to make its best effort to conduct a Drug-Free Awareness Program reminding you of the dangers of drug abuse in the workplace, of our commitment to maintain a drug-free workplace, and to keep you informed as to the available drug counseling, rehabilitation and assistance programs. This statement also informs you as to the penalties that may be imposed upon you for drug abuse violations occurring in the workplace.

Let me give you one final reminder, this policy shall exist at all places where you perform work on behalf of the Town of Mount Carmel.

Thank you for your attention in this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "James L. Dean".

James L. Dean
Mayor

I certify that I have received, read, and understand the foregoing Town of Mount Carmel, Tennessee, Drug-Free Workplace Program Requirements.

Employee

Date