



## **Terms and Conditions for Employee Manual Clauses**

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## DRUG AND ALCOHOL ABUSE POLICY/SMOKING POLICY

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### *Example 1*

#### Drug and Alcohol Abuse Policy

[Company] has a responsibility to protect its guests, its employees and its impeccable reputation in the lodging industry. The possession, use, or unlawful sale of alcohol or drugs by employees on the company's premises will not be tolerated. Violations of this policy may result in disciplinary action up to and including termination of employment.

[Company] has established a comprehensive Drug and Alcohol Abuse Policy that establishes guidelines for employees regarding drug and alcohol use and provides for substance abuse testing of [company] applicants for employment and in certain situations, substance abuse testing of employees.

As a condition of employment, all employees must comply with Drug and Alcohol Abuse policies. These are available in the Human Resources Department for review. All questions should be directed to the Human Resources Director.

#### No-Smoking Policy

In keeping with [company's] intent to provide a safe and healthy work environment, smoking is prohibited, except in those locations that have been specially designated as smoking areas.

### *Example 2*

It is the intent of [company] to maintain a workplace that is free of drugs and alcohol and to discourage drug and alcohol abuse by its associates. [Company] has a vital interest in maintaining safe and efficient working conditions for its associates. Substance abuse is incompatible with health, safety, efficiency and the mission of [company]. Associates who are under the influence of unlawful drugs or alcohol on the job compromise [company's] interests, endanger their own health and safety and the health and safety of others. Therefore, they create an inefficient, unproductive or disruptive work environment.

In order to promote and maintain safe and efficient working conditions for its associates and to protect its business, property and operations, [company] has established this policy concerning the use of alcohol and drugs. As a condition of continued employment with [company] you must abide by this policy:

1. [Company] strictly prohibits the unlawful manufacture, distribution, dispensing, transportation, possession and/or use of any unlawful substance or of alcohol while working, operating [company]-owned vehicles, performing "[company]" business or on the company's or client's premises. However, when authorized, associates may consume or possess alcohol at [company] function, which may be hosted in-house. These privileges may be withdrawn if abused. Associates are also expected to use all lawfully prescribed medication in a safe and lawful manner.
2. Associates will be subject to disciplinary action, including but not limited to immediate termination; for violation of policy. At its discretion, [company] may require associates who violate this policy to successfully complete a drug abuse assistance or rehabilitation program as a condition of continued employment.
3. Associates who have a drug or alcohol related problem and wish to voluntarily submit to treatment may contact the vice-president of human resources for an appropriate referral. [Company] will comply with the Americans with Disabilities Act in administering this policy.

4. When there is a reasonable belief that drugs or alcohol are present in a company-supplies locker, desk or other contained, an inspection may be conducted to confirm that belief. Desk, lockers and other company supplies containers are not private property and are subject to inspection at [company's] discretion with or without notice to the associate.
5. We require all candidates approved for hire/transfer to undergo and pass drug screening as a condition of employment.
6. If there is a reasonable belief that an associate's behavior on the job is affected by a controlled substance and/or alcohol, he/she may be required to undergo a drug and/or alcohol test. Failure to cooperate with the testing may result in disciplinary action, up to and including termination.

*Example 3*

Substance Abuse

Substance Abuse means abusing alcohol or other drugs that place a person's social, economic, psychological welfare in potential danger and/or endangering the public, or a combination. [Company] is a drug free work environment; substance abuse is strictly prohibited in our hotel. An alcohol and drug screening test will be conducted prior to the offer of employment. [Company] reserves the right to conduct the test again at any time during the employment period.

*Example 4*

Drug and Alcohol Abuse Policy

[Company] has a responsibility to protect its guests, its team members and its reputation in the lodging industry. The possession, use, or unlawful sale of alcohol or drugs by team members on company premises will not be tolerated. Violation of this policy may result in disciplinary action, up to and including termination of employment.

[Company] has established a comprehensive Drug and Alcohol Abuse Policy that establishes guidelines for team members regarding drug and alcohol use and provides for substance abuse testing of applicants for employment and in certain situations, substance abuse testing of current team members. As a condition of employment, all new team members must comply with the Drug and Alcohol Abuse Policy. Team members may review the Drug and Alcohol Abuse Policy in the Human Resources Department. Any questions regarding this policy should be directed to the Human Resources Department.

*Example 5*

Drug and alcohol use on the job are not tolerated. Violation of this policy will result in immediate termination. Drug and alcohol use outside the work have great potential to make our workplace unsafe, and as such we ask that (1) you refrain from all illegal drug use, and (2) you partake in alcohol, if at all, within limits such that the use will not affect your work. If you have a problem with drugs or alcohol, your manager will be able to direct you to people who can help you professionally. Your manager will keep your identity in complete confidence.

*Example 6*

Testing

Drug Testing is mandatory for all new hires, and may be done periodically throughout employment. It is the discretion of management as to the frequency of the testing. Testing is done to ensure every employee is

working to their full potential in an effort to maximize productivity. Testing will not be based on race, religion, creed or sexual preference.

### Zero Tolerance

There is a zero tolerance for employees who are under the influence of alcohol or drugs while working. These employees will be terminated immediately. Employees are responsible for proper handling of alcohol which include and are not limited to:

- ② Not possessing and/or consuming alcohol if under 21 years old
- ② Not possession or consuming alcohol while on duty
- ② Not possessing kegs or other large quantities of alcoholic beverages on the job site

### *Example 7*

Manufacture, distribution, dispensation, possession or use of any illegal drug, alcohol or controlled substance while on company premises is strictly prohibited. These activities constitute serious violations of company rules, jeopardize the company and can create situations that are unsafe or that substantially interfere with job performance. Employees in violation of the policy are subject to appropriate disciplinary action, up to and including dismissal.

### Drug Testing

[Company] is determined to eliminate the use of illegal drugs, alcohol and controlled substances in the workplace. The company has established a drug-free awareness program which informs employees about the dangers of drug abuse in the workplace, [company's] policy of maintaining a drug-free environment, [company's] employee assistance program and the penalties imposed for violations of this policy.

### Smoking and other Tobacco Use Policy

Employees are not allowed to smoke during their breaks and/or on [company] property. Smoking or tobacco use of any kind by any employee during working hours will result in disciplinary action, up to and including termination.