

RESOLUTION 0624252

**A RESOLUTION
TO APPROVE A REVISED DRUG- AND ALCOHOL-FREE
WORKPLACE POLICY**

WHEREAS, the Supervisor and Board of Trustees of Hanover Township (the "Board") sets the personnel policy for the employees of Hanover Township; and

WHEREAS, the Board has adopted the "Hanover Township Personnel Policy," as amended from time-to-time, to codify its personnel policies for the employees of Hanover Township; and

WHEREAS, the Board deems it appropriate to periodically review and revise the Hanover Township Personnel Policy, *inter alia*, to comply with current employment laws, statutes, regulations, and ordinances; and

WHEREAS, the Board has reviewed the Hanover Township Personnel Policy and deems it necessary and appropriate to revise the Drug- and Alcohol-Free Workplace Policy contained therein as set forth below; and

NOW, THEREFORE, BE IT RESOLVED by the Supervisor and Board of Town Trustees of Hanover Township, Cook County, Illinois, as follows:

SECTION ONE: INCORPORATION OF RECITALS. The recitals are hereby incorporated into the body of this Resolution as though fully set forth herein.

SECTION TWO: ADOPTION. The Revised Drug and Alcohol-Free Workplace Policy contained in the Hanover Township Personnel Policy, as provided herein, is hereby adopted and approved.

SECTION THREE: DIRECTION TO STAFF. The Township Administrator, or his designee, is hereby directed to delete the stricken text (indicated textually in the same manner

6.) This policy does not prohibit employees from the lawful use and possession of prescribed medications. Employees must, however, consult with their doctors about the medications' effect on their ability to perform the essential functions of the job and work safely, and promptly disclose any restrictions or information which may otherwise indicate that such medications may impact these abilities to their Department Head (employees should not, however, disclose underlying medical conditions unless specifically directed to do so). Employees are prohibited from using or possessing of legal or prescribed drugs in a manner inconsistent with prescribed limits that impairs job performance.

7.) Individuals who are registered users of medical cannabis will not be disqualified from employment based solely on the detected presence of cannabis on a drug test, unless failing to do so would put the Township in violation of a federal law of cause it to lose a federal contract or funding. Individuals who are registered users of medical cannabis in accordance with the Compassionate Use of Medical Cannabis Program Act may not report to work under the influence of cannabis and must comply with all other provisions of this policy. This policy prohibits the undertaking of any task under the influence of cannabis, when doing so would constitute negligence, professional malpractice or professional misconduct.

Volunteers serving in safety-sensitive positions, such as those involving the operation of vehicles or machinery, direct supervision of vulnerable populations, or emergency response functions, will be disqualified from such roles if they are registered users of medical cannabis, due to the potential safety risks and legal limitations associated with cannabis impairment in those contexts.

8.) Certain employees are also covered by the Township's Illinois Department of Transportation Drug and Alcohol Policy. Covered employees will receive a copy of this policy from their Department Head. It should be noted that pursuant to the explicit provision of the Cannabis Regulation and Tax Act (CRTA), 410 ILCS 705/10-50(g), nothing in CRTA shall be construed to interfere with any federal, State, or local restrictions on employment, including, but not limited to, the United States Department of Transportation Regulation, 49 CFR 40.151(e), or impact the Township's ability to comply with federal or State law or cause it to lose a federal or State contract or funding.

9.) Employees who drive commercial motor vehicles, operate or repair heavy or large mobile equipment or perform other safety-sensitive functions in addition to the prohibitions above must not consume alcohol for four hours prior to duty time and up to eight hours following an accident or until the employee undergoes a post-accident test, whichever comes first.

Additionally, employees and volunteers assigned to Emergency Services strictly prohibited from using cannabis in all its forms (including, but not limited to, inhalation, ingestion, and topical application) four hours prior to duty and up to eight hours following an accident or until testing is complete.

10.) To promote a safe, productive, and drug-free workplace, the Township may require employees, volunteers, and applicants to undergo drug and/or alcohol testing under the circumstances outlined below, in accordance with applicable federal and state laws:

- a. **Pre-Employment Testing:** Volunteers and applicants may be required to undergo and pass a drug screening before beginning volunteering or employment. Specific testing requirements vary by position. Applicants who test positive will not be hired, subject to and in accordance with applicable federal and state laws.
 - i. Applicants for Department of Transportation (DOT) covered positions, meaning those that require an employee or volunteer to hold a Commercial Driver's License (CDL) and operate a vehicle with a gross vehicle weight rating (GVWR) of 26,001 pounds or more, designed to transport 16 or more passengers (including the driver), or that is a hazardous materials vehicle requiring placarding, are subject to a 5-panel DOT pre-employment drug test. All other CDL and non-CDL drivers are subject to a 9-panel pre-employment drug test.
 - ii. Emergency Services employees and volunteers must complete a 10-panel pre-employment drug test.
 - iii. Youth and Family Services Department applicants must complete a 9-panel pre-employment drug test.
 - iv. The Township reserves the right to modify the type of pre-employment drug test required for any position at its discretion, consistent with applicable federal and state laws, and may do so with or without prior notice.
- b. **Random Testing (CDL Holders Only):** Employees in positions that require a Commercial Driver's License (CDL) are subject to unannounced, random drug and alcohol testing as required by law.
- c. **Reasonable Suspicion Testing:** Employees may be required to submit to drug or alcohol testing when there is reasonable suspicion of substance use or impairment. Factors that could establish reasonable suspicion include, but are not limited to:
 - i. Sudden changes in work performances;
 - ii. Repeated failure to follow instructions or operating procedures;
 - iii. Violation of Township safety policies;
 - iv. Involvement in an accident or near-accident;
 - v. Discovery or presence of illegal or suspicious substances or materials in an employee's or volunteer's possession or near their workplace;
 - vi. Odors such as the smell of alcohol, cannabis, body odor, and urine or residual odor unique to some chemical or controlled substances or alcohol;
 - vii. Unsteady, fidgety, or dizzy movements;
 - viii. Involuntary eye movements or dilated, constricted, or watery eyes;

- ix. Flushed face, sweating, or confused or blank look;
 - x. Slurred or slow speech, distraction mid-thought, or an inability to verbalize thoughts;
 - xi. Being argumentative, agitated, irritable, or drowsy;
 - xii. Involuntary yawning or twitching;
 - xiii. Being found asleep, unconscious, or providing no reaction to being asked questions;
 - xiv. Unexplained or frequent absenteeism; and
 - xv. Personality changes, unusual behavior, or disorientation.
- d. **Post-Accident Testing:** Employees involved in workplace accidents, injuries, or near-miss incidents may be required to undergo drug and/or alcohol testing as part of the incident investigation process.
 - e. **Return-to-Work Testing:** Employees returning to work after a leave related to substance use issues may be required to undergo and pass a drug and/or alcohol test as a condition of reinstatement.
- 11.) Any violations of this policy may subject the employee to immediate discipline, up to and including termination.

SECTION FOUR: SEVERABILITY. If any section, paragraph or provision of this Resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Resolution.

SECTION FIVE: REPEAL OF PRIOR RESOLUTIONS. All prior Ordinances and Resolutions in conflict or inconsistent herewith are hereby expressly repealed only to the extent of such conflict or inconsistency.

SECTION SIX: EFFECTIVE DATE. This Resolution shall be in full force and effect upon its passage and approval.

ROLL CALL VOTE: Supervisor McGuire and Trustees Beattie, Essick, Martinez, and Noyola

AYES: 5

NAYS: 0

ABSENT: 0

PASSED: June 24, 2025

APPROVED: June 24, 2025

Brian P. McGuire

Brian P. McGuire, Township Supervisor

ATTEST:

Katy Dolan Baumer
Katy Dolan Baumer, Township Clerk

CERTIFICATION

I, the undersigned, do hereby certify that I am the Township Clerk of Hanover Township, Cook County, Illinois, and that the foregoing is a true, complete and exact copy of resolution 0624252 enacted on June 24, 2025, and approved on June 24, 2025, as the same appears from the official records of Hanover Township.

Katy Dolan Baumer
Katy Dolan Baumer, Township Clerk

