



March 2019

Drug and Alcohol Policy for N.J. Public Employees Template

Medicinal marijuana. Recreational use of marijuana. Fentanyl. The opioid epidemic. Misuse of prescription pain-killers.

The ever changing landscape makes it necessary for public employers to review and update their drug and alcohol policies regarding drivers who operate public agency vehicles or private vehicles on agency business. To assist our members, the MEL Safety Director staff worked with a law firm that specializes in drug and alcohol policies to develop two New Jersey Public Entity Drug & Alcohol policy templates. The following documents are now available on the MEL website <https://njmel.org/mel-safety-institute/model-policies/driver-policies/>

1. Final NJDOT CDL policy
2. NON-CDL policy for New Jersey Public Entity
3. NON-CDL policy Forms Toolkit

It is important to note the following:

- These are **model policy templates**, not final policies. Each member must review the templates, discuss the options with your municipal attorney, and finalize the policies that are best suited to your needs. These sample policies and procedures are not intended to be all-encompassing and are believed to conform to current law and practice at the time of preparation. However, municipalities and authorities are cautioned to seek legal advice from a qualified employment attorney before adopting any employment policies and procedures.
- **All non-italicized print in the Final NJDOT CDL policy is mandatory under federal law.** Provisions that are italicized are optional.
- **The entire NON-CDL policy is optional.** If you decide to adopt a policy of this type, there are many options available to you including the establishment of a “zero tolerance” policy with respect to marijuana (medical or recreational). Please make sure you discuss the options with your municipal attorney and your governing body prior to adoption of any policy.
- One of the essential elements of the policies is the requirement to name a **Designated Employer Representative (DER)**. An alternate DER should also be named in the event the primary DER is unavailable.
- Joint Insurance Funds throughout the State will be scheduling informational webinars and training sessions on the templates and DER Training classes. They will be announced in future communications from each Joint Insurance Fund’s Safety Director. It is critical that you send the identified DER and alternate DER to DER Training.

This bulletin is intended for general information purposes only. It should not be construed as legal advice or legal opinion regarding any specific or factual situation. Always follow your organization’s policies and procedures as presented by your manager or supervisor. For further information regarding this bulletin, contact your Safety Director at 877.398.3046.