

AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AMENDING CHAPTER 125 HUMAN RESOURCES SYSTEM (PERSONNEL) RULES AND REGULATIONS; SECTION 125.220 ALCOHOL, DRUG AND CONTROLLED SUBSTANCE ABUSE AND SECTION 125.230 SUPPLEMENTAL POLICIES AS SET FORTH.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF OSAGE BEACH, MISSOURI AS FOLLOWS:

Section 1. That the section entitled Osage Beach amendments as set forth below with new material set out in **RED** and deleted material struck as follows:

Section 125.220. Alcohol, Drug and Controlled Substance Abuse.

- A. The City of Osage Beach has an obligation to its employees to take reasonable steps to assure a drug-free and safe place to work. The City of Osage Beach also has an obligation to the citizens and to the public at large to provide quality and safe services through a policy and program prohibiting the use of illegal and controlled substances and the misuse of alcohol by City employees.
- B. The City will not tolerate the use, abuse, possession or sale of illegal and controlled substances or misuse of alcohol by any of its employees, including part-time and seasonal employees. Drug and alcohol testing will be an integral part of the City's program in order to meet the goals of providing a safe and efficient service and a safe and healthy workplace.
- C. The purpose of this policy is to assure worker fitness for duty and to protect employees and the public from the risks posed by the use of alcohol, illegal, and controlled substances. This policy is also intended to comply with all applicable Federal and State regulations governing workplace alcohol, illegal, and controlled substance abuse programs. The United States Department of Transportation (DOT) 49 CFR Part 29 the "Drug Free Work Place Act of 1988," the "Omnibus Transportation Act of 1991," and the DOT 49 CFR Part 40 requires certain reporting of certain drug-related offenses, mandates urine drug testing and breathalyzer alcohol tests for safety-sensitive positions, and other positions when so noted, and prevents performance of their functions when there is a positive test result.
- D. It is the City's policy to give in detail the prohibitions against the use of alcohol and controlled substances in the workplace; however, the City will make every effort to encourage employees to seek professional assistance when personal problems, including alcohol, illegal, and controlled substance dependency, adversely affect their ability to perform assigned duties. ~~Refer to the Drug Free Workplace Policy dated 8/21/2014.~~

Section 125.230. Supplemental Policies.

The City implements the following Supplemental Employee-Related Policies. These policies may be updated from time to time with approval of the City Administrator. The City Administrator

shall provide copies of all policy changes to the Board and Mayor at least ~~ten~~ **twenty (20)** business days prior to implementing such changes.

1. Secondary Employment Policy.
 2. Merit Increase Policy.
 3. Overtime/Comp Time/Flex Time Policy.
 4. College and Law Enforcement Academy Tuition Reimbursement Policy.
 5. Education Incentive Policy.
 6. Travel and Expense Policy.
 7. Uniform/Dress Policy.
 8. Donation of Leave Policy.
 9. Workers' Compensation Policy.
 10. Family Medical Leave Act (FMLA) Policy.
 11. Safety Policy.
 12. Prohibited Harassment Policy.
 13. Drug Free Workplace Policy.
 14. Americans with Disabilities Act (ADA) and the Americans with Disabilities Amendments Act (ADAAA) Policy.
 15. Information Technology Acceptable Use Policy.
 16. Facility Access Policy.
 17. Vehicle and Equipment Policy.
 18. Tool Policy — Department of Public Works.
 19. Mobile Device Policy.
- B. A copy of each of these policies are held on file in City Hall and made a part hereof as if fully set forth herein.

Section 2. Severability

The chapters, sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional or otherwise invalid by the valid judgment or degree of any Court of any competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance since the same would have been enacted by the Board of Aldermen without the incorporation in this ordinance of any such unconstitutional or invalid phrase, clause, sentence, paragraph or section.

Section 3. Repeal of Ordinances not to affect liabilities, etc.

Whenever any part of this ordinance shall be repealed or modified, either expressly or by implication, by a subsequent ordinance, that part of the ordinance thus repealed or modified shall continue in force until the subsequent ordinance repealing or modifying the ordinance shall go into effect unless therein otherwise expressly provided; but no suit, prosecution, proceeding, right, fine or penalty instituted, created, given, secured or accrued under this ordinance previous to its repeal shall not be affected, released or discharged but may be prosecuted, enjoined and recovered as fully as if this ordinance or provisions had continued in force, unless it shall be therein otherwise expressly provided.

Section 4. That this Ordinance shall be in full force and effect from and after the date of passage and approval of the Mayor.

READ FIRST TIME: April 17, 2025

READ SECOND TIME: May 1, 2025

I hereby certify that Ordinance No.25.38 was duly passed on May 1, 2025, by the Board of Aldermen of the City of Osage Beach. The votes thereon were as follows:

Ayes:	5	Nays:	0
Abstentions:	0	Absent:	1

This Ordinance is hereby transmitted to the Mayor for his signature.

May 1, 25
Date

Tara Berreth
Tara Berreth, City Clerk

Approved as to form:

Cole Bradbury
Cole Bradbury, City Attorney

I hereby approve Ordinance No.25.38.

Michael Harrison
Michael Harrison, Mayor

May 1, 25
Date

Tara Berreth
Tara Berreth, City Clerk