



**GOBIERNO DE PUERTO RICO**  
LEGISLATURA MUNICIPAL DE SAN GERMÁN  
Hon. Adalberto Villa Flores, Presidente



ORDINANCE NUM. 7

SERIES 2023-2024

**TO ESTABLISH PUBLIC POLICY AND ADOPT REGULATIONS REQUIRED BY THE FEDERAL TRANSIT ADMINISTRATION (FTA) REGARDING DRUG USE AND ALCOHOL ABUSE IN THE WORKPLACE AREA AND FOR OTHER PURPOSES**

**WHEREAS:** Article 1.010 of the Municipal Code of Puerto Rico establishes that it is up to each municipality to order, regulate and resolve what is necessary or convenient to meet local needs and for their greater prosperity and development.

**WHEREAS:** The Municipality of San German receives federal funds from the Federal Transportation Administration (FTA) to cover the costs of service, operation and maintenance of mass transit vehicles and therefore, the municipality has the duty to comply with the requirements and policies of said Federal agency.

**WHEREAS:** This public policy statement is designed to foster productivity, safety and excellence while maintaining a safe and productive environment for employees and citizens. The City of San German has a strong commitment to maintaining a drug- and alcohol-free work environment, and it is therefore in its interest that this public policy statement be adopted to provide guidance to supervisors and employees on how to handle drug use and alcohol abuse situations in the workplace.

**WHEREAS:** All employees in safety-sensitive positions under these regulations shall be subject to drug and alcohol testing as a condition of their employment with the Municipality of San German in accordance with the provisions of any other state and/or federal law.

**WHEREAS:** This policy complies with federal provisions as provided in 49 CFR Part 655, as amended, 49 CFR Part 382, as amended, and 49 CFR Part 40, as amended.

**WHEREAS:** Article 1.039 (j) of the Municipal Code provides that the Municipal Legislature shall have the power and duty to approve the plans of the human resources area of the municipality, the regulations and guides, classification and pay scales to be adopted for the administration of human resources, submitted by the Mayor, in accordance with the Code.

**WHEREAS:** The regulation described here arises from the need to comply with federal requirements and to keep the municipality available to compete and receive federal funds.

**THEREFORE: THE MUNICIPAL LEGISLATURE OF THE MUNICIPAL GOVERNMENT OF SAN GERMAN, PUERTO RICO, ORDERS THE FOLLOWING:**

**Section 1:** The Regulation required by the Federal Transit Administration (FTA) regarding the use of drugs and alcohol abuse in the work area for the Municipality of San German is established and adopted.



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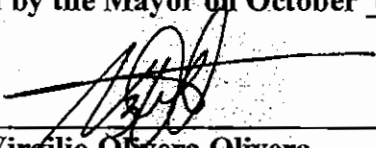
- Section 2:** This ordinance, if necessary, will take effect immediately if approved by the Municipal Legislature and signed by the Mayor.
- Section 3:** Certified copies of this Ordinance and its regulations shall be sent to the Office of Municipal Human Resources, Office of Federal Programs, Office of Management and Budget (OGP), Department of State, Federal Transit Administration (FTA), and other relevant agencies for their knowledge and appropriate action.

Approved by the Municipal Legislature on October, 19, 2023

  
Hon. Adalberto Villa Flores  
President  
Municipal Legislature

  
Mrs. Jamilet Rivera Morales  
Secretary  
Municipal Legislature

Approved and signed by the Mayor on October 20, 2023

  
Hon. Virgilio Olivera Olivera  
Mayor



**GOBIERNO DE PUERTO RICO**  
LEGISLATURA MUNICIPAL DE SAN GERMÁN  
Hon. Adalberto Villa Flores, Presidente



**CERTIFICATION**

I, JAMILET RIVERA MORALES, SECRETARY OF THE MUNICIPAL LEGISLATURE OF SAN GERMAN, **CERTIFY:**

THAT THE FOREGOING IS A TRUE AND ACCURATE COPY OF ORDENANCE #7 SERIES 2023-2024 APPROVED AT THE 4<sup>TH</sup> ASSEMBLY OF THE 2<sup>ND</sup> ORDINARY SESSION OF THE MUNICIPAL LEGISLATURE ON OCTOBER 19, 2023, WITH THE FOLLOWING VOTES:

**AFFIRMATIVES VOTES:**

HON. ADALBERTO VILLA FLORES	HON. ZOÉ VEGA RODRÍGUEZ
HON. JORGE A. CINTRÓN SANTANA	HON. JACOB RIVERA ACEVEDO
HON. MADELYN CRUZ GARCÍA	HON. ABNIEL O. RODRÍGUEZ RODRÍGUEZ
HON. SINIA E. SAAVEDRA MORALES	HON. RAMÓN D. PAGÁN SANTIAGO
HON. EVELYN RODRÍGUEZ DELGADO	HON. MARÍA DEL C. RIVERA ALMODÓVAR
HON. ASELA FERRER LUGO	HON. NELSON J. CRUZ MALAVÉ
	HON. JOEL VEGA TORRES

**AGAINSTED VOTES:**

NONE


**ABSTAINED VOTES:**

NONE

**ABSENTS:**

HON. WILLIAM R. SÁNCHEZ CORTINA

**AND FOR THIS TO BE A FACT, SIGN, SEAL AND ISSUE THIS CERTIFICATION IN SAN GERMAN, PUERTO RICO, TODAY, OCTOBER 20, 2023.**

  
*Jamilet Rivera Morales*  
JAMILET RIVERA MORALES  
SECRETARY  
MUNICIPAL LEGISLATURE