



DRUG AND ALCOHOL FREE WORKPLACE

Section 1. Introduction

Using, possessing, purchasing, selling, negotiating sale or purchase or being under the influence of drugs, or being under the influence of alcohol, during working time, or on District premises, including parking lots, or while operating a personal vehicle on company business, is absolutely forbidden and will result in discharge or other discipline as the District deems appropriate.

Section 2. Prescription Drugs:

The use of prescription drugs which would not alter an employee's work performance is acceptable, if prescribed to the employee by a licensed healthcare provider. In the event there is a question regarding an employee's ability to perform assigned duties safely and effectively while using such drugs, clearance from a licensed health care provider may be required before the employee is allowed to resume the employee's regular duties.

Section 3. Employees Duties and Responsibilities

- A.** Notify their supervisor before beginning work when taking drugs (prescription or non-prescription), which the employee reasonably believes may interfere with the safe and effective performance of their duties;
- B.** Not report to work, be at work, or work while under the influence of, or while his or her ability to perform job duties is impaired due to, on or off-duty alcohol or drug use;
- C.** Not possess or use alcohol or impairing drugs or substances while on duty, at work, or working;
- D.** Not directly, or through a third party, sell or provide drugs or alcohol to any person, including an employee, while either or both employees is on duty, at work, or working;
- E.** Submit immediately to an alcohol or drug test when directed by a supervisor or manager;
- F.** Provide, within 24 hours of request, bonafide verification of a current valid prescription for any

potentially impairing drug or medication identified when a drug screen/test is positive. The prescription must be from a licensed health care provider and in the employee's name; and

- G.** Report any conviction received pursuant to a criminal drug statute for violations for conduct occurring on or off District premises while conducting District business. A report of conviction must be made to the Administrative Services Manager within five (5) days after conviction, as mandated by the Federal Drug-Free Workplace Act of 1988.
- H.** The unlawful manufacture, distribution, dispensing, possession or consumption of any controlled substance is prohibited anytime an employee is on duty, at work or working.
- I.** Any violation of this section and other provisions of this Policy may result in discipline, up to and including termination.

Section 4. Alcohol at District Sponsored Events:

With prior approval of Management and in Management's sole discretion, the District may allow employees to consume moderate amounts of alcohol at District sponsored social events outside of normal business hours where such use is appropriate in the circumstances. Employees who are found to be under the influence of alcohol, or who engage in misconduct at such events, are subject to discharge or discipline, in accordance with District processes and procedures.

Section 5 Pre-Employment Testing:

- A.** As a condition of every offer of employment or any promotion or new assignment, the District reserves the right to require any new hire to undergo and successfully complete a blood, urine, or other chemical test for drugs or alcohol.
- B.** The drug and/or alcohol test may test for any substance which could impair an employee's ability to perform the functions of their job effectively and safely, including, but not limited to, prescription drugs, alcohol, and other controlled substances.
- C.** All testing (including sample collection, chain of custody and laboratory services) shall be conducted in accordance with the approved procedures of the substance Abuse and Mental Health Services Administration, formerly NIDA. The results of

testing shall be reviewed by a medical review officer, who shall be a licensed physician, possessing appropriate training, and knowledgeable about substance abuse disorders.

D. Pre-employment drugs and/or alcohol test result.

1. A positive result from a drug and/or alcohol analysis may result in the applicant not being hired where the applicant's use of drugs and /or alcohol could affect requisite job standards, duties or responsibilities.
2. If a drug screen is positive at the pre-employment physical, the applicant must provide, within 24 hours of the request, bona fide verification of a valid current prescription for the drug identified in the drug screen. If the prescription is not in the applicant's name or the applicant does not provide acceptable verification, or if the drug is one that is likely to impair the applicant's ability to perform the job duties, the applicant may not be hired.

Section 6. Reasonable Cause Testing:

- A. As a condition of continued employment, the District may require any employee to undergo and successfully complete a blood, urine, or other chemical test for drugs or alcohol whenever the District has reasonable suspicion to believe the employee is under the influence of or impaired by drugs or alcohol while on duty, at work, or working.
- B. A determination that an employee is under the influence of or impaired by drugs or alcohol will be based on specific personal observations of any of the following, which alone or in combination, may constitute reasonable suspicion depending upon the circumstances in which the behavior is observed and/or reported:
 1. Bloodshot eyes;
 2. Glassy eyes;
 3. Dilated pupils;
 4. Slurred Speech;
 5. Odor on breath;
 6. Drowsiness;

7. Euphoria;
8. Mood swings;
9. Inattentiveness;
10. Excitement and confusion
11. Irritability;
12. Agressiveness;
13. Shaking or erratic movement;
14. Disorientation;
15. Unsteady walking and movement;
16. An accident involving District property, where it appears the employee's conduct is at fault;
17. Physical altercation;
18. Verbal altercation;
19. Unusual behavior;
20. Use or possession of alcohol, drugs or paraphernalia;
and/or
21. Information obtained from a reliable person with personal knowledge.

C. Any Manager or supervisor requiring an employee to submit to a drug/and or alcohol test should document in writing the facts constituting reasonable suspicion that the employee in question is impaired or under the influence. A manager or supervisor's failure to comply with this paragraph does not invalidate the directive to submit to testing.

D. All testing will be conducted at a clinic or laboratory selected by the District, with appropriate safeguards for privacy, confidentiality, and accuracy. Test results will be kept confidential to the fullest extent required by law, and will be maintained separate from the individual's personnel file. All testing (including sample collection, chain of custody and laboratory services) shall be conducted in accordance with the approved procedures of the Substance Abuse and Mental

Health Services Administration, formerly NIDA. The results of testing shall be reviewed by a medical review officer, who shall be a licensed physician, possessing appropriate training, and knowledgeable about substance abuse disorders. The manager or supervisor may arrange for the employee to be transported to a testing facility, and then home afterwards. The manager or supervisor may also notify appropriate law enforcement agencies.

- E. The reports or test results may be disclosed to District management on a strictly need-to-know basis and to the tested employee upon request. Disclosures, without patient consent, may also occur when: (1) the information is compelled by law or pursuant to a lawfully issued subpoena; (2) the information has been placed at issue in a formal dispute between the employee and the District; (3) the information is to be used in administering an employee benefit plan; or (4) the information is needed by medical personnel for the diagnosis or treatment of the patient who is unable to authorize disclosure.
- F. Managers and supervisors shall notify their department head or designee when they have reasonable suspicion to believe that an employee may have controlled substances in his or her possession or in an area not jointly or fully controlled by the District. If the department head or designee concurs that there is a reasonable suspicion of illegal drug possession, the department head shall notify the appropriate law enforcement agencies.

Employees are required to cooperate with the District and its clinic or laboratory in conducting tests. Employees who refuse to undergo testing or who interfere with the testing process, including but not limited to interference by unreasonable delay or contamination or tampering of the sample, will be subject to immediate discharge or discipline.

Employees who test positive, fail to cooperate with testing procedures, or otherwise violate this policy are subject to discharge or other discipline.

In any case involving unusual or extenuating circumstances, the District in its sole discretion may allow an applicant or employee who tests positive to commence or continue employment, subject to the condition that the employee undergo some form of treatment for addictions or abuse of drugs and alcohol as determined by the District, in its sole discretion and submit to periodic or random testing as required by the District.

Section 7. Accommodation for Drug and Alcohol Rehabilitation Programs:

The District will reasonably accommodate any employee who comes forward before violating this policy and requests to enter voluntarily into a drug or alcohol rehabilitation program. Such requests will be kept confidential as provided by law. Once an employee violates this policy, however, any request to enroll in a rehabilitation program in lieu of discharge or discipline will be left to the sole discretion of the District, and will require random testing and other necessary follow-up measures. Employees who wish to enroll in drug or alcohol rehabilitation are encouraged to come forward before they are found in violation of this policy.

Adopted: December 12, 1990; 4/21/04; 12/19/07