

SUBJECT: DRUG FREE WORKPLACE

APPROVED BY:

EFFECTIVE

DATE: 02-09-10 (replaces 04-01-05)

Executive Director

Reviewed (no changes): 03-31-11 \_\_\_\_\_  
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POLICY

It is the policy of McIntosh Trail CSB that none of its staff may illegally engage in the manufacture, distribution, dispensation, possession or use of a controlled substance at any time or place including the workplace. Such unlawful activity will be considered sufficient grounds for disciplinary action, including dismissal from employment.

In addition, the staff of McIntosh Trail is prohibited from possession or consumption of alcohol in the workplace or reporting to work under the influence of alcohol.

For the purposes of this policy, the following definitions shall apply:

1. A **controlled substance** is defined as those drugs or substances listed in Schedules I-V of the Federal Controlled Substances Act, including but not limited to, marijuana, cocaine, heroin, opiates, and amphetamines. Not included are substances used in accordance with a valid prescription and/or over-the-counter non-prescription drugs.
2. The **workplace** is defined as a geographic location at which a staff person performs work pursuant to employment with the CSB, including any travel while in travel status.
3. **Conviction** means a finding of guilt (including a plea of nolo-contendere) or imposition of sentence or both by any judicial body charged with the responsibility to determine violations of federal or state criminal drug statutes.
4. A **criminal drug statute** is defined as a federal or non-federal criminal statute involving the manufacture, distribution, dispensing, use or possession of any controlled substance.

PROCEDURE

1. New staff, when appointed, will be required to sign a drug-free workplace acknowledgment (Attachment 1) stating that they will abide by the provisions of Policy 3251 as a condition of employment. The original will be kept in the staff person's personnel file in the Personnel Office.
2. Staff will receive information regarding any available drug counseling, drug rehabilitation programs and/or employee assistance programs as needed.

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PROCEDURE (Continued)

3. Staff are required to report any personal criminal drug arrests and convictions to their supervisor within five (5) calendar days after the arrest and conviction occurs. Supervisors will insure that information related to a staff person's arrest or conviction will be held in confidence and shared with other agency staff on a "need-to-know" basis only.
4. The staff person's supervisor must report the criminal drug arrest and conviction to the Executive Director within three (3) calendar days after being informed by the staff person.
5. The Executive Director shall evaluate the reported criminal drug conviction and within thirty days of notification:
  - a. Take appropriate disciplinary action against the convicted staff person up to and including dismissal from employment; or
  - b. Require the convicted staff person to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by Federal, State or local health, law enforcement or other appropriate agency.

Attachment: Drug Free Workplace Acknowledgment