

DRUG-FREE AND ALCOHOL-FREE WORKPLACE

Policy Code:

7240

The board of education recognizes that reducing drug and alcohol abuse in the workplace improves the safety, health and productivity of employees. It is the policy of the board of education that a drug-free and alcohol-free workplace will be maintained.

The unlawful manufacture, distribution, dispensing, possession, or use of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, anabolic steroids, alcohol, counterfeit substances or any other controlled substance as defined in schedules I through V of section 202 of the Controlled Substances Act (21 U.S.C. §812) and further defined by regulation at 21 C.F.R. §1300.11 through §1300.15 is prohibited. No employee will be impaired by the excessive use of prescription or nonprescription drugs.

Employees are prohibited from using or being under the influence of alcohol while acting in the course and scope of the employees' duties. This policy does not apply to an employee's consumption of alcoholic beverages that are served at a reception or other similar function that occurs outside the regular workday and that the employee is authorized or required to attend as a part of his or her employment duties.

This policy will govern each employee before, during or after school hours while on any property owned or leased by the board of education; at anytime during which the individual employee is acting in the course and scope of his or her employment with the board of education; and at any time that the employee's violation of this policy has a direct and adverse effect upon his or her job performance.

No employee shall be impaired by the excessive use of prescription or nonprescription drugs in the workplace. The proper use of a drug authorized by a valid medical prescription from a legally authorized health care provider shall not be considered a violation of this policy when the drug is taken by the person for whom the drug was prescribed. Any employee with prior knowledge that the use of a prescribed medication under a doctor's direction or an over-the-counter medication could alter the employee's ability to perform the duties and responsibilities of his/her position must notify his/her supervisor. An employee is responsible for finding out from a health care professional the effects of any prescribed drug being taken. Failure to take such action may result in disciplinary action under this policy.

If in the opinion of the employee's supervisor, an employee's action and/or behavior are considered unsafe as a result of the proper use of medication, the employee may be sent home. A conference shall be conducted with the employee prior to the employee's resuming his/her duties. Prior to the employee's returning to work, the employee must provide written assurance that:

- The medication has been terminated; or
- The medication has been adjusted/modified to avoid impairment

An employee must notify his or her supervisor in writing of any conviction under any criminal drug statute for a violation occurring within the scope of the preceding paragraph of this policy. Notification will be given not later than five calendar days after such conviction.

Violation of this policy will subject an individual to personnel action by the board of education which could result in non-renewal or termination of employment with the school district or the requirement that the employee participate satisfactorily in a drug or alcohol abuse assistance or rehabilitation program approved by the board of education. Information concerning available counseling, rehabilitation and re-entry programs will be provided to employees.

The Board has a strong commitment to assist any employee who voluntarily asks for help. It is the employee's responsibility to seek help for drug and alcohol problems before they must be addressed at the workplace or otherwise become apparent as unsatisfactory job performance and/or work habits. Such action on the part of the employee shall be viewed as responsible and shall be supported by the Board and the supervisor to the extent that this is consistent with protecting the safety and welfare of students, staff, and the public.

Where there are reasonable grounds to believe that an employee is in violation of the Board's Drug-Free Workplace Environment Policy, the superintendent may require that the employee submit to a medical examination, including a drug or alcohol assessment. The drug or alcohol assessment will be conducted to determine whether the employee has been under the influence of illegal drugs, under the influence of alcohol while on duty, or impaired by the use of prescription or nonprescription drugs while on duty. If the drug or alcohol assessment is positive and there is no legitimate medical explanation for the results, the employee may be subject to disciplinary action, including termination of employment. Any drug testing shall conform to state law governing administration of controlled substance examinations. The administration shall carry out pre-employment testing for drugs, and post-accident, random, reasonable suspicion, return-to-duty and follow-up testing for drugs and alcohol.

This policy will be distributed to all employees.

Legal References: 21 U.S.C. §812; 41 U.S.C. §701 et seq.; G.S. 20-138.2B; 115C-26

Cross References: Drug and Alcohol Testing of Commercial Motor Vehicle Operators (policy 7241)

Adopted: May 7, 2007