



Unified Government Human Resources Guide

Effective 07-14-05

DRUG-FREE WORKPLACE

- I. General: It is the policy of the Unified Government to maintain a drug-free workplace. It is also the Unified Government's policy that all employees be subject to the Unified Government's applicable Substance Abuse Policy (7.4, 7.4A, 7.4B) found in this guide or copies of which can be obtained from the Human Resources Department.
- II. Policy
 - A. The unlawful manufacture, distribution, dispensation, possession, or use of any controlled substance by an employee of the Unified Government while on duty or on Unified Government premises is prohibited and will result in disciplinary action being taken against the employee, up to and including termination of employment.
 - B. In lieu of, or in addition to, disciplinary action, the employee may be required to participate satisfactorily in an employee drug assistance rehabilitation program approved for such purposes by the Unified Government, including a return-to-work agreement, and will be placed on a 24 to 60 month probation.
 - C. Procedures
 1. As a condition of employment, the employee shall:
 - a. abide by the drug-free workplace policy;
 - b. notify his or her supervisor of any criminal drug statute conviction for a violation occurring in the workplace no later than five days following such conviction; and
 - c. sign a statement that he or she will comply with subsections a and b.
 2. The supervisor shall promptly notify the department head of an employee's conviction for violating a criminal drug statute in the workplace.
 3. The department head shall:
 - a. notify any federal agency from which the department receives an award of federal financial assistance of an employee's conviction for violating a criminal drug statute in the workplace within 10 days after receiving notice of the conviction; and
 - b. immediately notify Human Resources of an employee's conviction.
 - D. Definitions. For purposes of this Policy, the following terms have the following meanings.
 1. "Controlled substance" means a substance as defined in Schedules I through V of Section 202 of the Controlled Substance Act (21 U.S.C. 812) and is further defined in 21 C.F.R. 1300.11 through 1300.15. Controlled substances include, but are not limited to, narcotics, stimulants, depressants, and hallucinogens.



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2. “Conviction” means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by a judicial body charged with the responsibility to determine violations of the federal or state criminal drug statutes.
3. “Criminal drug statute” means a criminal statute involving manufacture, distribution, dispensation, use, or possession of any controlled substance.

RELATED POLICIES: 7.4 – Substance Abuse
RELATED FORM(S): Drug-Free Workplace Statement
Drug Screening Consent and Waiver of Liability