

PERSONNEL 3.0

Drug-Free Workplace -- 3.14

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Signature:



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POLICY

The unlawful manufacture, distribution, possession or use of a controlled substance is prohibited in or on the workplace. Such manufacture, distribution, possession or use while on the job or state property will subject the violator to disciplinary action, up to and including termination.

APPLICABILITY

This policy applies to all employees of the Bureau of Health Services.

PURPOSE

To comply with the Anti-Drug Abuse Act of 1988 and to provide and maintain a drug-free workplace.

PROCEDURE

The term "controlled substance" means any drug listed in 21 U.S.C. 812 and other federal regulations. Generally, these are drugs which have a high potential for abuse. Such drugs include, but are not limited to, heroin, marijuana, cocaine, PCP, and "crack". They also include "legal drugs" which are not prescribed by a licensed physician to an alleged violator.

Each employee is required by law to inform the Department of Health within five (5) days after he or she is convicted for violation of any federal or state criminal drug statute where such violation occurred on state property. A conviction means a finding of guilt (including a plea of nolo contendere) or the imposition of a sentence by a judge or jury in any federal or state court. Within 10 days after receiving notice from the employee or otherwise receiving actual notice of such a conviction, the Department of Health must notify the U.S. government agency from which grant monies were received to fund this employee's position.

If an employee is convicted of violating any criminal drug statute while at the workplace, he or she will be subject to disciplinary action, up to and including termination. Alternatively, the Department of Health may require the employee to successfully finish a drug abuse program sponsored by an approved private or governmental institution.

All employees who are paid in total or part with federal funds awarded to the Department of Health after March 18, 1989, must sign a Drug Free Workplace **Acknowledgment, PH-3131**, certifying that they have received a copy of the Department's policy regarding the maintenance of a drug-free workplace and agree to abide by the policy.

NECESSARY FORM

Drug Free Workplace Acknowledgment, PH-3131

REFERENCE DOCUMENT

Anti-Drug Abuse Act of 1988

OFFICE OF PRIMARY RESPONSIBILITY

Office of Human Resources, Department of Health, (615)741-6350