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POLICY # 3

Title:	Drug and Alcohol Free Workplace	
Program:	Workforce Innovation and Opportunity Act	
Effective:	July 1, 2015	
Revision #:	1	Original policy date: June 26, 2015

Purpose: To establish policy to provide for a drug and alcohol-free workplace.

References: March 18, 1989, Drug Free Workplace Act

Background: Effective March 18, 1989, the federal government enacted the “Drug-Free Workplace” Act. This act requires that any agency which receives federal funding must certify that it will maintain a drug-free workplace. Among other things, the act requires that a policy is published notifying employees that the unlawful manufacture, distribution, possession, or use of controlled substances is prohibited in the workplace. It also requires that certain actions be taken if this policy is broken.

Policy: It is the policy of the WDBMOV that each employee has a right to come to work and perform his or her job in an environment that is free from the illegal use of drugs. It is also in the interest of the WDBMOV and the public that employees be able to perform their duties safely and efficiently. The WDBMOV is firmly committed to promoting high standards of health, safety and efficient service. Thus, our goal is to maintain a work environment free from the effects of drug abuse.

It is the policy of the WDBMOV that employees shall not unlawfully manufacture, distribute, dispense, possess or use a controlled substance while on the job or in the workplace, or be under the influence of a controlled substance, not prescribed for him/her by a physician, while on the job or in the workplace. Any employee violating this policy will be subject to discipline, up to and including termination.

Controlled substances are specifically defined in federal law. They consist of two classes of “drugs”: 1) those commonly thought of as “illegal” drugs, and 2) certain medications available by prescription, but not being taken under a physician’s orders, which the federal government has determined have a potential for abuse, or are potentially physically or psychologically addictive.

Employees must inform their agency's personnel administrator (or the person serving in the personnel role) within five (5) days of any drug conviction for violation of a state or federal drug statute if the violation occurred in the workplace. A conviction means a finding of guilty, including a plea of nolo contendere, or the imposition of a sentence by a judge or jury in any federal or state court.

Within ten (10) days of receiving notice that one of its employees funded under a federal grant or contract has been convicted for a violation of a state or federal drug statute occurring in the workplace, the agency personnel officer must notify the appropriate federal granting or contracting agency.

Employees who have substance abuse problems are encouraged to participate in the Employee Assistance Program or a rehabilitation program prior to any disciplinary action. If an employee chooses not to undergo rehabilitation, WDBMOV will take disciplinary action.

Action: WDBMOV will make employees and contractors aware of said policy and provide copies.

Expiration Date: This policy shall remain in effect until revised or canceled by the WDBMOV.