

Maintaining a Drug- and Alcohol-Free Workplace

The County Office is dedicated to providing employees with a safe and healthful workplace. The use of drugs and/or alcohol in the work environment may not only affect one individual's productivity and performance, but also endanger the health, safety and welfare of students, employees, the public, and the drug and/or alcohol user. Use of drugs and/or alcohol in the workplace can result in criminal prosecution and/or disciplinary action in accordance with County Office collective bargaining agreements, Merit Rules, the County Office policies, the California Education Code, and all other applicable state and federal laws and regulations.

Employees who feel they have a drug or alcohol usage problem are urged to voluntarily seek confidential assistance through available drug counseling, employee assistance and rehabilitation programs.

Purpose

To maintain a drug- and alcohol-free work environment.

Timeline

Employee convicted of a criminal drug statute violation occurring in the workplace notifies the County Office within five (5) days of the conviction.

Human Resources Department notifies federal agencies within ten (10) days of receiving notification of a conviction and initiates disciplinary action within thirty (30) days.

Procedure

1. Human Resources Department provides each employee with a written notification of the policy on maintaining a drug- and alcohol-free workplace.
2. Human Resources Department maintains an ongoing drug- and alcohol-free awareness program to inform employees about:
 - The dangers of drug and alcohol abuse in the workplace;
 - The County Office policy on maintaining a drug-and alcohol-free workplace;
 - Any available drug and alcohol counseling, rehabilitation and employee assistance programs which are available;
 - The penalties that may be imposed on employees for drug and alcohol abuse violations.

3. In the event that an employee is convicted of a criminal drug statute violation (including a plea of *nolo contendere*) for a violation occurring in the workplace, s/he must notify the County Office within five (5) days of the conviction.
4. Human Resources Department notifies appropriate federal agencies within ten (10) days of receiving notification of a conviction.
5. Human Resources Department initiates disciplinary action against the convicted employee within thirty (30) days of being notified of the conviction. Such action will be consistent with state and federal law, the appropriate employment contract, the applicable collective bargaining agreement and County Office policies and procedures.

In taking disciplinary action, the Superintendent shall require termination when law requires termination. When termination is not required by law, the Superintendent shall either take disciplinary action, up to and including termination, or require the employee to satisfactorily participate and complete a drug/alcohol assistance or rehabilitation program approved by a federal, state or local law enforcement or other appropriate agency. The Superintendent's decision shall be made in accordance with relevant state and federal laws, employment contracts, collective bargaining agreements, Merit Rules and County Office policies and practices.

Note: The term "workplace" as it is used here refers to all premises where the programs, activities and services of the county office are conducted including all places and vehicles where any employee performs any assigned duty.