

Drug and Alcohol Abuse by Employees

1. Philosophy Statement

- a. The Board believes that all students have the right to learn in an atmosphere that is conducive to their success. The use and abuse of chemicals by employees will have a deleterious effect on the ability of the student to learn and on the ability of the staff to provide a meaningful educational program. This district intends to provide a safe work environment and encourage personal health. Therefore, this district considers the abuse of drugs or alcohol on the job by employees to be an unsafe and detrimental work practice.
- b. With respect to abuse of chemicals, all district employees are responsible to act as role models for students and as representatives to the community.

2. Prohibited Conduct

- a. An employee found with a presence of alcohol or illegal drugs in his/her system or possession of, using, buying, selling, transporting, trading or offering for sale illegal drugs in the workplace during working hours, may be subject to disciplinary action up to and including discharge.
 - (1) “Drugs” shall include any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or any other controlled substance. Alcohol shall include any form of alcohol for consumption, including beer, wine, wine coolers or liquor.
 - (2) “Workplace” shall mean the site for the performance of work done for the district. This includes any district building or any district building premises; any district-owned vehicle or any other district-approved vehicle (including the employee’s own vehicle) used to transport students or fellow employees to and from school or school activities or to transport fellow workers to and from different work sites; off-school property during any district-sponsored or district-approved activity, event or function, such as field trip or athletic event, where students are under the jurisdiction of the district.
 - (3) Employees who are under the treatment of a physician who must bring prescription medicines to the workplace shall carry the medicines in the original container bearing the name of the drug, the name of the physician and the prescribed dosage.

3. Notice Regarding Violation of Criminal Drug Statutes

Employees who are convicted of any violation of criminal drug statutes occurring in the workplace are required to notify the superintendent no later than five days after such conviction.

4. Report Use or Presence of Controlled Substance and/or Alcohol

Any employee of the district who is aware of the use by employees or the presence of controlled substances and/or alcohol on district property at any time, or off district property in district vehicles or at school-sponsored activities shall bring such information to the attention of his/her immediate supervisor or the superintendent.

5. Responsibility to Counsel Employee

It is the responsibility of the employee's supervisor to counsel with an employee whenever changes in performance are observed that suggest an employee problem with drugs or alcohol. The supervisor may suggest that the employee voluntarily seek help.

6. Employee Assistance Program (EAP)

- a. The district is committed to providing a safe and productive work environment for employees. The district recognizes the valuable resource it has in its employees and that the state of an employee's health affects attitude, effort and job performance. Substance abuse causes decreased efficiency and greatly increased risk of injury to employees. The district, therefore, adopts this employee assistance policy on behalf of each of its employees in order to provide confidential, professional referral and treatment to those employees who recognize they have a substance abuse problem and seek treatment for it.
- b. In order to achieve this purpose, it is the district's primary goal to identify those employees and refer them to professional counsel before job performance has become a disciplinary problem. Employees are urged to use the services available through the Employee Assistance Program (EAP). Employees who voluntarily seek help through the EAP will not jeopardize their job security or be disciplined by such self-identification.
 - (1) If an employee has a problem or thinks he/she has a problem with drugs and/or alcohol, that employee should contact a supervisor. All information will be kept confidential and he/she will be referred to professional counselors and advised how to utilize the employee benefit program for appropriate treatment.
 - (2) Treatment for alcoholism or drug dependency is provided under school district health care plans up to the limits described in the plans.
 - (3) An employee shall be granted a leave of absence, when necessary, for treatment of drug/alcohol problems contingent upon signing a "Referral Agreement" requiring completion of an approved treatment program.
 - (4) Although the district recognizes that alcohol and drug abuse can generally be successfully treated, and it is willing to work with employees who may suffer from such problems, it is the employee's responsibility to seek such assistance before drug or alcohol problems lead to on-the-job safety or misconduct incidents or violations of this policy and to corresponding disciplinary action. In other words, if the employee violated district policy by job-related use of alcohol or drugs, he/she will be disciplined. However, abeyance of such discipline may be considered, dependent upon the severity of the infraction, willingness to enter and successfully complete a recommended treatment program and previous performance history.

7. Awareness Program

The issuance of this policy is designed to make employees aware of the district's resolve to make the district free from illegal drug and alcohol abuse in the workplace. The district will supplement this effort through one or more of the following activities:

- a. Employee informative meetings which feature law enforcement or medical experts on drug and alcohol awareness;
- b. Films or written material which will provide information of drug and alcohol abuse and potential sources of assistance;
- c. Maintenance of a list of national and local agencies that deal with drug and alcohol abuse.

8. Review

This policy shall be reviewed at least every two years.

END OF POLICY

Legal Reference(s):

[ORS Chapter 475](#)
[ORS 657.176](#)
[ORS 659.840](#)
[ORS 659A.300](#)

[OAR 581-053-0220\(3\)\(h\)](#)
[OAR 581-053-0230\(9\)\(t\)](#)
[OAR 581-053-0330\(1\)\(n\),\(o\)](#)
[OAR 581-053-0420\(3\)\(c\)](#)
[OAR 581-053-0430\(13\),\(14\)](#)

[OAR 581-053-0531\(12\),\(13\)](#)
[OAR 581-053-0615\(2\)\(c\)\(D\)\(ii\)](#)
[OAR 581-053-0620\(1\)\(s\)](#)
[OAR 584-020-0040](#)
[OAR 839-006-0200 to -0265](#)

Controlled Substances Act, 21 U.S.C. § 812; Schedules of Controlled Substances, 21 C.F.R. §§ 1308.11 - 1308.15 (2006).
Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213; 29 C.F.R. Part 1630 (2006); 28 C.F.R. Part 35 (2006).
Americans with Disabilities Act Amendments Act of 2008.

Cross Reference(s):

GBEC - Drug-Free Workplace