

**Willamette Education
Service District**

Code: **GBCBA**
Adopted: 7/8/03
Readopted: 7/12/05; 6/22/10
Orig. Code(s): None

Alcohol/Controlled Substance Use

The following conduct is strictly prohibited and will subject an employee to immediate discipline, up to and including termination:

1. The buying, selling, transporting, possessing, providing, or using of intoxicants, including alcohol, or any controlled substances as defined by law while on ESD property, or property under control of the ESD, during work hours (including meal periods), or while assigned to extra duty or special projects, including those held after or in addition to regular working hours, and while driving between worksites during the work day in either an ESD-supplied vehicle or a vehicle supplied by the employee;
2. Reporting for work under the influence of alcohol, intoxicants, or any controlled substance. An individual is considered to be “under the influence of alcohol, intoxicants, and/or a controlled substance” when, in the Superintendent’s determination, the controlled substance is at a level that it may impair the individual’s ability to safely and/or efficiently perform assigned work, prevent the employee from presenting a positive role model, or cause discredit to the ESD.

If the Superintendent has reasonable grounds to believe that an individual is under the influence of intoxicants, including alcohol or any controlled substance, the Superintendent may require employees in certain safety-sensitive positions to submit to immediate testing by trained medical personnel. Refusal to submit immediately to such tests may result in disciplinary action, up to and including dismissal. “Reasonable grounds” may include, but are not limited to, such things as slurred speech, dilated pupils, peculiar odors, and unsteady balance.

The ESD reserves the right, with prior notice and reasonable suspicion, to conduct searches of ESD property, vehicles, or equipment at any time. A refusal to submit to a search may result in disciplinary action, up to and including dismissal.

The Superintendent will develop appropriate regulations, procedures, consent forms, and such notifications as are needed for an orderly implementation of this policy.

END OF POLICY

Legal Reference(s):

[ORS Chapter 475](#)

[ORS 657.176](#)

[ORS 659.840](#)

[ORS 659A.300](#)

[OAR 581-024-0245](#)

[OAR 581-053-0015](#)

[OAR 581-053-0545\(4\)\(c\)\(R\)-\(T\)](#)

[OAR 581-053-0550\(5\)\(q\)-\(s\)](#)

[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).