



Alcohol and Drug-Free Workplace Policy

646 Alcohol and Drug-Free Workplace

- I. No employees shall possess, consume or sell alcoholic beverages or be under the influence of alcohol on the job or in the workplace.
- II. No employee shall unlawfully manufacture, distribute, dispense, possess, use or be under the influence of, on the job or in the workplace, any narcotic, drug, amphetamine, barbiturate, marijuana or any other controlled substance, as defined in the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulations at 21 CFR 1300 or Florida Statutes, Chapter 893.
- III. The appropriate use of legally prescribed drugs and nonprescription medication is not prohibited. However, it is the employee's responsibility to inform the physician of the employee's job duties and to ask the prescribing physician to determine whether or not the prescribed drug may impair the employee's job performance. It is the employee's responsibility to remove himself/herself from service if unfit for duty.
- IV. An employee in a safety sensitive position must obtain a written release from the prescribing physician if he/she has prescribed any substance that carries a warning label indicating that mental functioning, motor skills or judgment may be adversely affected. The release must state that the employee is able to perform safety sensitive functions.
- V. Workplace is defined as the site for the performance of work done in connection with the duties of an employee of the School Board. That term includes any place where the work of the school district is performed, including a school building or other school premises; any school-owned vehicle or any other school-approved vehicle used to transport students to and from school or school activities or any off-school property during a school-sponsored or school-approved activity, event or function, such as a field trip, workshop or athletic event.
- VI. As a condition of employment, each employee will:
 - a. Abide by the terms of this policy, and
 - b. Notify the appropriate director, principal, or supervisor of any criminal drug statute arrest or conviction for a violation occurring on the premises of the School Board, at the workplace, or during the conduct of any official activity related to the School Board within forty-eight (48) hours. Identified employees must be in compliance of Local and/or Federal laws.
- VII. The School Board shall:
 - a. Notify the appropriate agency within ten (10) days after receiving such notice from an employee or otherwise receiving actual notice of such conviction; and,
 - b. Take one of the following actions, within thirty (30) days of receiving such notice, with respect to any employee who is so convicted:
 - I. Require such an employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state or local health, law enforcement, or other appropriate agency; or,
 - II. If the employee fails to participate satisfactorily in such program, the employee may be non-renewed or his or her employment may be suspended or terminated, at the discretion of the School Board; or,
 - c. Take appropriate personnel action against such an employee, up to and including termination.
 - d. Offer assistance and information on drug abuse in order to maintain an alcohol and a drug-free workplace. Employee assistance will be available through the Human Resources Department and the Employee Assistance Program.
- VIII. The following shall comply with the Flagler County School Board Drug Free Workplace Program and be subject to drug testing:
 - a. Persons receiving job offers.
 - b. Employees when reasonable suspicion exists.
 - c. Employees injured on the job.
 - d. Employees subject to follow-up testing.

STATUTORY AUTHORITY

893.01, 1001.41, 1012.22, 1012.23,
1012.27 F.S.

LAWS IMPLEMENTED

1001.41 1001.43 1012.795
DRUG FREE WORKPLACE b ACT OF 1988
34 CFR PART 85, SUBPART F

HISTORY

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