

WESTMORLAND UNION ELEMENTARY SCHOOL DISTRICT

I.

Board Policies Covering All Employees

Board Policy No. 4003: DRUG AND ALCOHOL FREE WORKPLACE

- A. This Board Policy is adopted pursuant to the federal Drug-Free Workplace Act of 1988, the federal Drug-Free Schools and Communities Act Amendments of 1989, and the California Drug-Free Workplace Act of 1990. It is the policy of the District that all its workplaces and facilities be drug and alcohol free.

- B. The unlawful manufacture, distribution, dispensation, possession, or use of any alcoholic beverage, drug or controlled substance in any workplace or facility of the District is strictly prohibited. All employees are prohibited from the unlawful manufacture, distribution, dispensation, possession, or use of alcohol or a controlled substance in any workplace or facility of the District. All employees will abide by this prohibition as a condition of employment. Any employee who violates this prohibition will be disciplined up to and including dismissal, and/or required to satisfactorily complete a drug abuse assistance or rehabilitation program selected by the District in conformance with law. A copy of this Policy shall be provided to all employees upon initial employment along with the Employee Verification Statement attached to this Policy which shall serve to evidence receipt of a copy of this Policy.

- C. All employees must notify the Superintendent in writing within five (5) days of any drug or alcohol statute conviction for a violation occurring in any workplace or facility of the District. A conviction includes any finding of guilt, including a no contest plea, or imposition of a sentence. Any employee who is convicted of such a violation will be disciplined up to and including dismissal, and/or required to satisfactorily complete a drug abuse assistance or rehabilitation program selected by the District in conformance with law.

- D. The Board hereby establishes a Drug and Alcohol Free Awareness Program. A copy of this Board Policy shall be posted for all employees. The Superintendent regularly will inform employees of the dangers of drug and alcohol abuse in any workplace or facility of the District. The Superintendent also regularly will inform employees of any available drug and alcohol counseling, rehabilitation and employee assistance programs.

Legal Reference:

Federal Drug-Free Workplace Act of 1988 (DFWA), 41 U.S.C. section 701.

Federal Drug-Free Schools and Communities Act Amendments of 1989, 20 U.S.C. section 3224(a)

California Drug-Free Workplace Act of 1990, Government Code section 8350 *et seq.*

Date Policy Adopted By The Board: August 22, 1989

Date Policy Revised By The Board: May 16, 1995 (formerly B.P. 4004)

Date Policy Revised By The Board: October 9, 2003 (formerly B.P. 4004)

Date

EMPLOYEE VERIFICATION STATEMENT

TO: All Employees

FROM: Superintendent

RE: DRUG AND ALCOHOL - FREE WORKPLACE POLICY NUMBER 4003

The purpose of this memorandum is to reiterate, and state in a more formal way, the District's Drug and Alcohol - Free Workplace Policy as required by federal law. It is also to enclose a copy of that Policy for your reference.

The unlawful manufacture, distribution, dispensation, possession or use of controlled substances or alcohol on District property is strictly prohibited. It is also a violation of law and District Policy 4003 to be under the influence of alcohol or any controlled substance while at work, at any District sponsored activity, or while performing any duty authorized by the District. Any employee who violates this Policy shall be subject to disciplinary action, up to and including, termination of employment.

The District has established a drug and alcohol awareness program for the benefit of all employees. As part of that program, the District will provide a copy of Board Policy 4003 to all employees. In addition, the District shall make information available regarding the dangers of drug use and abuse in the workplace to any employee who requests such information. An employee who feels that he or she has an alcohol or a drug use or abuse problem and needs assistance with the problem should contact a District Office administrator. Regardless of whether the employee is participating in a drug awareness and/or rehabilitation program, any employee who violates this or any other the District policy is subject to disciplinary action up to and including termination of employment.

Employees must abide by Board Policy 4003. Any employee who is convicted of a violation of any criminal drug statute related to the unlawful manufacture, distribution, dispensation, possession or use of controlled substances in the workplace or the manufacture distribution, dispensation, possession or use of alcohol in the workplace shall inform the District no later than five (5) days after such conviction of the fact of the conviction. Any employee who is so convicted shall be subject to disciplinary action, up to and including termination and/or the District can refer the employee to participate in a drug or alcohol abuse assistance or rehabilitation program approved by a federal state, or local health, law enforcement, or other appropriate agency.

DATE: _____

EMPLOYEE'S SIGNATURE

EMPLOYEE'S PRINTED NAME

Encl: Board Policy 4003
cc: Personnel File