

Employee Use/Abuse of Alcohol and Drugs

Philosophy

The Board believes that all students have the right to learn in an atmosphere that is conducive to their success. The abuse of drugs and alcohol 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. The district intends to provide a safe work environment and encourage personal health. Therefore, this district considers the use or abuse of drugs or alcohol on the job by employees or persons contracted to work for the district to be an unsafe and detrimental work practice.

With respect to the use and abuse of chemicals, all district employees are responsible to act as role models for students.

Prohibited Conduct

- (1) The possession, use, or distribution of illicit drugs and alcohol on school premises or district vehicles or as a part of any of its activities is prohibited.
- (2) Any employee or person contracted to work for the district found to use or have the presence of alcohol or illegal drugs in their system while at work or who possesses, sells, trades, or offers for sale illegal drugs in the workplace during working hours, may be subject to disciplinary action up to and including dismissal.
 - (a) “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.
 - (b) “Workplace” shall mean the site for the performance of work done for the district. This includes any district building 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.

Prescription Medication

Any employee who is under the treatment of a physician and who must bring prescription medication 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.

Notice Regarding Violation of Criminal Drug Statutes

Any employee who is convicted of any violation of criminal drug statutes occurring in the workplace is required to notify the superintendent no later than five (5) days after the conviction.

Reporting the Use or Presence of Drugs or Alcohol

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

Employee Counseling

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.

Employee Assistance Program (EAP)

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 program 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.

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 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 she/he has a problem with drugs and/or alcohol, that employee should contact the district health officer/school nurse. All information will be kept confidential and she/he 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 employee's 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 submitting a signed letter of commitment to complete 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 performance incidents or violations of this policy and to corresponding disciplinary action. In other words, if the employee violates district policy by job-related use of alcohol or drugs, she/he 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.

Awareness

The administration will distribute copies of this policy to each employee annually and will periodically provide information about the dangers of drug and alcohol abuse in and outside of the workplace. Contractors will be provided notice of the requirements of this policy upon entering into a contract with the district.

END OF POLICY

Legal Reference(s):

ORS Chapter 475
ORS 657.176
ORS 659.840
ORS 659A.300
OAR 581-053-0015
OAR 581-053-0545 (4)(c)(R,S,T)
OAR 581-053-0550 (5)(t,u,v)
OAR 584-020-0040
OAR 839-006-0200 to -0265

Controlled Substances Act, 21 U.S.C. Section 812, schedules I through V, 21 CFR 1308.11-1308.15 (2000).
Americans with Disabilities Act of 1990, 42 U.S.C., Sections 12101-12213; 29 CFR Part 1630 (2000); 28 CFR Part 35 (2000).