# [ORGANIZATION]

# SUBJECT: Smoke, Drug, and Alcohol-Free Workplace Policy

# EFFECTIVE: [DATE]

# APPROVED: [DATE]

**1.0 Policy**

[ORGANIZATION] is committed to discouraging drug and alcohol use by its employees and to providing its employees a drug and alcohol-free workplace environment pursuant to federal and state Drug-Free Workplace Acts. To satisfy this responsibility, [ORGANIZATION] has established a work environment that is free from the effects of drugs and other job performance-impairing substances.

[ORGANIZATION] shall conduct a program of communications and staff development for employees to create an awareness of its drug and alcohol-free workplace policy, knowledge of the dangers and detrimental effects of drug and alcohol abuse, and knowledge and skills to implement this drug and alcohol-free workplace policy.

The manufacture, distribution, dispensing, sale, possession, and use of a controlled substance by an employee, or being under the influence of alcoholic beverages or illegal drug use at any time on [ORGANIZATION] premises or while on [ORGANIZATION] business, is prohibited, except that alcohol may be drunk in moderation when appropriate at business meals and functions. An employee who reports to work impaired by alcohol or drugs, except as prescribed, possesses or consumes drugs on work time, or is convicted of a drug-related crime, is subject to disciplinary action, which may include termination by a Chief Officer or the Director of Human Resources, following established [ORGANIZATION] procedures related to this policy.

[ORGANIZATION] shall assist employees who have drug- and alcohol-abuse problems, through referrals to its employee assistance program. [ORGANIZATION] shall strive to hold in confidence information concerning such assistance. However, substance abuse leading to or contributing to misconduct or the violation of [ORGANIZATION] rules shall not preclude [ORGANIZATION] from taking appropriate disciplinary measures, up to and including suspension without pay or discharge.

Off-duty sale or use of drugs or alcohol may be cause for disciplinary action where such conduct can be shown to have direct or material adverse effect on the business interest of [ORGANIZATION], including its public image with its clients and within the community.

Smoking is also prohibited in all [ORGANIZATION] facilities.

As a condition of employment, every employee agrees to abide by the terms of this policy, and shall notify [ORGANIZATION] in writing of any criminal drug statute conviction for a violation occurring in the workplace no later than five calendar days after such conviction.

# Rules & Definitions

* 1. Applicability

This policy applies to all [ORGANIZATION] employees and anyone who acts officially on behalf of [ORGANIZATION] (including independent contractors, subcontractors, any advisors and members of the Board of Directors).

“Impaired” means being under the influence of a substance such that the employee’s motor senses (i.e., sight, hearing, balance, speech, reaction, and reflex) or judgment either is or is reasonably believed to be impaired.

* 1. Rules for a Smoke-, Drug- and Alcohol-Free Workplace
     + No employee may be under the influence of drugs or alcohol during working time or on work premises.
     + No employee shall possess, distribute, sell, or manufacture drugs or alcohol during working time or on work premises.
     + Alcohol may be brought, served, or consumed on [ORGANIZATION] premises only with the advance written approval of the Chief Executive Officer for [ORGANIZATION]-sponsored events.
     + No prescription drug may be brought on [ORGANIZATION] premises by any person other than the one for whom it is prescribed. Such drugs shall be used only in the manner prescribed.
     + All Regular and Temporary employees are required to advise their supervisors if they are under a physician’s care and are taking any medication or controlled drugs that could endanger the health and safety of staff or other people.
     + Off-duty sale or use of drugs or alcohol may be cause for disciplinary action where such conduct can be shown to have direct and material adverse effect on the business interest of [ORGANIZATION], including its public image with its clients and within the community.
     + In the following circumstances any Regular or Temporary employee may be required to undergo a blood and/or urine test to determine whether there is the presence of drugs or alcohol: (a) where [ORGANIZATION] has reasonable grounds to believe that an employee’s faculties are impaired on the job; and (b) the employee is in a position where such impairment presents a clear and present danger to the physical safety of the employee or to a member of the public.

[ORGANIZATION] shall provide transportation to and from the testing facility. Refusal to provide the requested blood and/or urine samples (including professed mobility to produce a sample without adequate explanation) shall be considered insubordination and shall result in disciplinary action, up to and including discharge.

* + - All test results for the presence of drugs or alcohol conducted by a certified laboratory and shall be kept confidential, but may be disclosed only on a need- to-know basis. Results shall not be disclosed to third parties except as may be required by law or court order. Tested individuals shall be given access to their results upon reasonable request. The employee may discuss positive tests with a medical review officer and shall be allowed to have a positive sample retested. The employee will also be given a reasonable opportunity to rebut or explain the results.
    - Rehabilitation is the responsibility of the individual, but [ORGANIZATION] will abide by federal, state and local laws regarding the accommodation of employees who wish to voluntarily enter and participate in a drug or alcohol rehabilitation program. A Regular employee seeking medical attention for alcoholism or drug addiction is entitled to use the benefits available under [ORGANIZATION]’s group health insurance plans.
    - Any Regular or Temporary employee convicted of a criminal drug statute violation occurring in the workplace or while engaged in [ORGANIZATION] business shall notify the Chief Executive Officer and the Director of Human Resources within five days of such conviction.
    - Substance abuse leading to or contributing to misconduct or the violation of [ORGANIZATION] rules shall not preclude [ORGANIZATION] from taking appropriate disciplinary measures, up to and including suspension without pay or discharge.

# 3.0 Procedures

* 1. Encouraging Compliance

Copies of [ORGANIZATION]’s policy statement will be given to all employees to create awareness of [ORGANIZATION]’s commitment to a drug- and alcohol-free workplace and required employee compliance with this policy.

* 1. Reporting Impairment and Possession

A supervisor who has reason to believe that an employee is impaired by any substance, drug, or alcohol during working time or at a work site, shall report to Human Resources observations and/or other reasons for believing such to be the case. Written documentation shall be prepared as soon as reasonably possible.

The employee shall be given an opportunity to explain his/her behavior. If no reasonable explanation is provided, the employee may be subject to disciplinary action, up to and including termination.

* 1. Employee Assistance

[ORGANIZATION] wishes to create a supportive environment for any staff person who voluntarily seeks assistance with or rehabilitation for a substance abuse problem. Any individual who believes that he or she has developed an addiction or dependence on alcohol, drugs, or controlled substances is encouraged to seek rehabilitation. Requests by Regular employees for leave for substance abuse rehabilitation may be made through the Chief Administrative Officer or the Director of Human Resources.