

## **415 - Drug Free Workplace and Reasonable Suspicion Policy**

Approved by GWA Board of Directors 9-27-2012

In accordance with the Drug-Free Workplace Act of 1988, 34 CFR Part 85, Subpart F, GWA will maintain and enforce a drug- and alcohol-free workplace. GWA will provide a safe and productive workplace free from possession, manufacture, use, or distribution of tobacco, alcohol, or illicit drugs. With this policy GWA affirms a commitment to maintain a Drug-Free Workplace and establishes conditions regarding the testing of employees for alcohol, intoxicants, illegal or controlled drugs, or misused prescription or over-the-counter medications.

Because of the special role the school system plays in discouraging students from using controlled substances, it is the policy of GWA that employees are required to refrain from using, possessing, manufacturing, dispensing, or selling controlled substances (drugs) on school premises or in their private lives. Furthermore, employees of GWA must be free of the influence, use, possession, selling and dispensing of illegal drugs, alcohol, and/or the misuse of prescribed medications while on duty or on GWA property. Any violation of this policy will not be tolerated and will result in disciplinary action up to and including termination.

Any employee who has a substance abuse or alcohol abuse problem is encouraged to obtain assistance for his or her problem by admission to a drug or alcohol abuse treatment program. Employees are strongly urged to seek such assistance before their problem becomes a matter of public knowledge or has affected his or her ability to effectively perform his or her job responsibilities. GWA will not excuse a violation of this policy on the pretext that the employee intended to seek the assistance of a treatment program.

### **Effect of Failure to Comply with Reasonable Suspicion Drug and Alcohol Testing**

An employee who refuses to submit to an alcohol and/or drug test or who violates any aspect of these guidelines may be subject to disciplinary action up to and including termination

### **Procedure: Drug and Alcohol Testing**

Applicants for employment, re-hires, and all other employees are subject to drug and/or alcohol testing in the following circumstances: prior to employment, prior to re-hire, critical incident, post-accident, return to duty, random, and/or reason to suspect that an employee is violating the above Drug-Free Workplace policy. The employee may be required to submit immediately to medical tests, including but not limited to breathalyzer, urine, and/or blood testing. GWA will be responsible for the cost of any drug tests requested by the school.

"Reasonable Suspicion" is defined as a belief based on observations and the inferences which may be drawn from such observations, that the particular employee has violated the Drug-Free Workplace policy.

Common signs which indicate a drug or alcohol abuse problem or circumstances which may give a reasonable suspicion of a violation of the Drug-Free Workplace policy include, but are not limited to, the following:

- Observed alcohol or drug use.
- Unexplained work-related accidents or injury.
- Presence of physical symptoms commonly associated with substance abuse such as: impairment of motor functions, slurred speech, incoherent or irrational mental state, drowsiness, smell of alcohol or marijuana, extreme weight loss, red eyes, runny nose, or sniffing, frequent or extreme mood changes, lack of physical coordination, deteriorating work performance, and/or attendance problems, frequent absences or lateness, unexplained absence from assigned work, frequent or extended visits to the restroom, deterioration in dress and/or grooming, or other marked, unexplained changes in personal behavior.

### **Over-The-Counter or Prescription Drugs**

An employee shall not come to work if, when taking or under the influence of over-the-counter or prescription drugs, such medication renders the employee unable to perform the major functions of his or her job. If the employee is unable to perform his/her job without impairment caused by the medication, the employee shall request sick leave, vacation leave, or leave without pay until the condition for which such medication is being taken is no longer present or use of the medication causing impairment has been discontinued.

### **Drug Testing Methodology for Reasonable Suspicion Testing**

A certified collection agent and laboratory will conduct testing.

### **Alcohol Testing**

Alcohol testing shall consist of a standard blood or breath alcohol testing procedure.

### **Confidentiality**

The results of drug screening or and alcohol tests shall not be included in an applicant's or an employee's file, but shall be retained by the Human Resource Department in a separate file, exempt from public inspection.

Any conditions of employment which may be established as a result of the drug test will become part of the employee's personnel file.

Test results and ancillary information may be disclosed to other management personnel only on a need-to-know basis only or to any person upon the written consent of the employee.

### **Smoking and/or Use of Tobacco**

Utah law prohibits smoking at any location indoors or outdoors on a school campus. Use of tobacco in the school building and on school grounds, in any form, by school personnel, students, and any visitors is also prohibited by Utah State Law.