

DRUG-FREE WORKPLACE ADMINISTRATIVE PROCEDURES

The following procedure shall be used as a guideline in administering the policy regarding a drug-free workplace.

1. Under the Influence

When a supervisor judges that an employee is not fit for duty as a result of the employee's abnormal speech, physical or mental behavior, then the supervisor shall use his/her best judgment in utilizing the following guidelines. The supervisor shall:

- a. Attempt to have at least one other administrator or supervisor observe the employee's behavior.
- b. Consult with the Superintendent or, his/her designee.
- c. Advise the employee, if in a bargaining unit, of the right to have a representative of the union at the meeting to discuss the matter. However, the availability of a union representative should not significantly delay the investigation process.
- d. Offer the employee the opportunity to explain, in private, the reasons for the abnormal behavior(s). Another administrator should be present whenever possible as well as the union representative mentioned above.
- e. Record in detail the time, date and nature of abnormal behavior(s).
- f. Refuse to allow the employee to work when there is serious question of the employee's fitness for duty. The employee should not be allowed to operate a District vehicle. The employee should be offered the opportunity to be transported home rather than operate a motor vehicle.
- g. Notify the employee that the incident will be reviewed with the Superintendent and disciplinary action may follow which may include a letter of reprimand, suspension without pay and/or termination of employment.

If the employee acknowledges that he/she is under the influence of alcohol or some other controlled or illicit mood-altering drug, then the employee may utilize a reimbursable absence in lieu of suspension without pay. The employee then must undergo assessment (AODA) at a site designated by the District and follow the recommendation of the treatment provider before being allowed to return to work.

If the employee insists that he/she is not under the influence of alcohol or some other controlled or illicit mood altering drug, then the employee will be offered the opportunity to proceed to a site of the District's choice for confirmation testing of specimen samples. If the specimen samples do not indicate the presence of alcohol or other controlled or illicit mood altering drugs, then the District will bear the cost of the test. However, if the test results indicate the presence of alcohol or other controlled or illicit mood altering drugs, then the employee will bear the expense of the tests.

2. Use, Possession, Distribution, Sale, Transfer, Dispensing, Manufacture

When a supervisor or administrator has reason to believe that an employee is engaged in the use, possession, distribution, sale or transfer of alcohol, other controlled or illicit mood altering drugs or drug paraphernalia, or engaged in the manufacture or dispensing of controlled or illicit mood altering drugs while on District property or fulfilling the responsibilities of his/her job, then the supervisor should use his/her best judgement in utilizing the following guideline.

The supervisor shall:

- a. Confiscate immediately all alcohol, other controlled or illicit mood altering drugs and/or drug paraphernalia, whenever possible.
- b. Preserve the evidence. Record in detail the time, dates and related pertinent facts of the incident.
- c. Report the incident to the Superintendent or designee.
- d. Advise the employee of the right to have a representative of the union, or another member of the same non-union labor unit, present at a meeting to discuss the matter.
- e. Interview the employee(s) involved in private. Another administrator may be present as well as the representative of the union mentioned above.
- f. Contact the local authorities if he/she has reason to believe that alcohol or other controlled or illicit mood-altering drugs or drug paraphernalia are involved. The confiscated alcohol, drugs and drug paraphernalia should be turned over to the authorities and a signed receipt should be requested. It is recommended that law enforcement personnel pick up the evidence. If, however, it is necessary for the supervisor to transport the evidence to the authorities then the local authorities must be informed that the supervisor will be transporting the evidence.
- g. Notify the employee that the incident will be reviewed with the Superintendent and disciplinary action may follow which may include a letter of reprimand, suspension without pay and/or termination of employment and referral for prosecution.
- h. If alcohol and/or drugs or drug paraphernalia are found on District property and it is not obvious who the owner is, report the incident to the Superintendent and the local law enforcement agency. An effort will be made to determine the owner of the property by questioning personnel who may have been in the immediate area.