

TYLER COUNTY POLICY: GF

DRUG-FREE WORKPLACE

The Tyler County Board of Education shall ensure that its workplaces are free of illegal drugs, alcohol, and controlled substances and free of persons under the influence of any drug except as prescribed for the individual employee and taken as prescribed for the individual employee; by prohibiting the unlawful manufacture, distribution, possession, abuse, or use, without medical authorization, of illegal or controlled substances and/or alcohol, and/or the reporting to work or being at work while under the influence of an illegal drug, or controlled substance, or alcohol, unless prescribed for the individual employee and taken as prescribed for the individual employee; or possession of non-medically prescribed paraphernalia or possession of paraphernalia prescribed for another.

This policy is applicable while employees are engaged in any work-related activity at any location, place or worksite, which includes performance of business at any time, including but not limited to, during regularly scheduled work days, meal breaks, and/or occasions having any connection with the Board of Education. For the purpose of this policy, the definition of employee shall be expanded to include any person who works or provides or performs services, full-time, part-time, as a volunteer or under contract.

Possession, use, and/or distribution of alcohol, illegal drugs, or a controlled substance, unless prescribed for the individual employee and taken as prescribed for the individual employee, will be dealt with promptly in accordance with legal and administrative disciplinary procedures.

Employees who violate the provisions of the Drug-Free Workplace Act shall be subject to disciplinary action up to and including termination for the first offense, and/or may be required to satisfactorily complete an approved drug rehabilitation or assistance program as a condition of continued employment. The Board shall have no duty to pay for or to defray any costs or expenses associated with rehabilitation, but will cooperate with any group health insurance carrier or rehabilitation facility. All rehabilitation leave shall be unpaid leave.

Additionally, the employee shall be required to provide the Superintendent or designee with the results of a drug and/or alcohol test on the first school day of each month for six (6) months.

When an offense is committed, an employee may be suspended without pay or may be dismissed from employment for reasons listed in West Virginia Code §18A-2-8.

As a condition of employment employees shall:

1. Abide by the terms of this policy. Compliance is mandatory;
2. Notify the Superintendent of any Criminal Drug Statute conviction for a violation occurring in the workplace, no later than five (5) days after such conviction.
3. Sign the “Tyler County Board of Education Drug-Free Workplace Verification Statement” once during tenure of employment as long as the policy remains unchanged. Any policy revisions will necessitate a re-signing by all school personnel.

It shall be the Superintendent’s responsibility to establish a drug awareness program for Tyler County Board of Education employees to provide information on the Employee Referral Program; the dangers of drug abuse in the workplace; the establishment and maintenance of a drug-free workplace; the penalties for workplace drug-abuse; and available drug-free literature.

It shall be the Superintendent’s responsibility to notify the granting agency within (ten) 10 days after receiving notice from an employee, or otherwise receiving actual notice, of the employee’s conviction of any Criminal Drug Statute for a violation occurring in the workplace.

In accordance with federal requirements, this policy must be reviewed every two (2) years.

Statutes and pertinent definitions applicable to the Drug-Free Workplace Policy can be found in the County Administrative Procedures Manual.

REFERENCE: Federal Drug-Free Workplace Act 1988; State Board Policy 1461

DATE: 10/2/17, 2/18/13, 11/20/07, 6/22/04, Amended: 3/04/96, 10/03/96