

Controlled Substances (All Employees)

It shall be the policy if the _____ to provide a drug-free workplace for the purpose of establishing a work environment that is legal and safe for all employees, students, and patrons.

Employees of the _____ shall be prohibited from the following activity or conduct while in or on the workplace as defined by _____ Board Policy ____ (1) using, possessing, manufacturing, dispensing, distributing, or being under the influence of prohibited drug or narcotics; or (2) testing positive on a drug test. A refusal to test or inability to test will be deemed a positive test result.

For the purposes of this policy a prohibited drug or narcotic is defined to include those controlled substances identified by the Texas Controlled Substances Act, the Texas Health and Safety Code, schedules I through V of Section 202 of the Federal Controlled Substances Act, 21 U.S.C. § 812 and 21 CFR § 1308.11 through 1308.15. This list of prohibited drugs and narcotics includes, but is not limited to, the following; narcotic drugs, hallucinogenic drugs, amphetamines, barbiturates, marijuana, and inhalants. A prohibited drug or narcotic shall not include any substance prescribed by a licensed physician in the course of medical treatment.

As a condition of employment, each employee shall notify his or her supervision of his or her conviction of any criminal drug statute for a violation occurring in the workplace as defined above, or for any charge to which the employee enters a plea of guilty or nolo contendere and receives deferred adjudication. Such notification shall be provided no later than 5 days after such conviction.

As a condition of employment, each employee shall abide by the terms of the Company policy respecting a drug-free workplace.

All _____ employees are subject to reasonable suspicion testing. (See Administrative Procedures § ____.)

An Employee who violates the terms of this policy will be subject to termination, except where an employee voluntarily admits to illegal drug use prior to the initiation of any drug testing and obtains counseling or rehabilitation, and thereafter refrains from using illegal drugs, as provided by _____ Administrative Procedure.

Sanctions against employees, including termination, shall be in accordance with applicable prescribed Board Policies and Administrative Procedures. The administration shall develop and distribute to each work location detailed instructions for use in the Drug Free Work Place Program.

Alcohol (All Employees)

Employees of the _____ shall be prohibited from the following conduct while in or on the workplace as defined by _____ Board Policy _____; using, possessing, or being under the influence of alcohol or alcoholic beverages; and/or (2) testing positive on an alcohol test (i.e. an alcohol concentration of 0.02 or greater.) A refusal to test or inability to test will be deemed a positive test result.

As a condition of employment, each employee covered under section _____ of this policy shall notify his/her supervisor of conviction of a DWI, or for any alcohol related charge to which the employee enters a plea of guilty or nolo contendere and receives deferred adjudication. Such notification shall be provided no later than 5 days after such conviction.

All employees are subject to reasonable suspicion testing. (See _____ Administrative Procedures § _____.)

Controlled Substances (Driver and Safety-Sensitive Positions)

This section applies to (1) employees who are drivers of Company-owned, leased, or rented vehicles, and (2) employees who perform safety-sensitive functions, including police officers who carry firearms, motor vehicle mechanics and inspectors, transportation aides and operators of hazardous equipment. This section also applies to applicants for positions in the above-referenced categories.

Such employees may be required to submit to drug testing as specified in Section _____ et seq. of _____ Board Policies and Administrative Procedures. These employees shall not be permitted to work until the appropriate test results have been received.

A supervisor with actual knowledge that a covered employee has used a controlled substance shall not permit the employee to perform or continue to perform job functions and shall complete a written report as required in procedures Section _____. The Company may require employees to inform the supervisor of any therapeutic drug use.

Employees who refuse to submit to drug testing as required under Section _____ of Board Policy and Administrative Procedures will not be permitted to perform duties and will be recommended for termination.

Alcohol (Driver and Safety-Sensitive Positions)

This section applies to (1) employees who are drivers of Company-owned, leased, or rented vehicles, and (2) employees who perform safety-sensitive functions, including police officers who carry firearms, motor vehicle mechanics and inspectors, transportation aides and operators of hazardous equipment. This section also applies to applicants for positions in the above-referenced categories.

Such employees may be required to alcohol testing as specified in Section _____ et seq. of _____ Board Policies and Administrative Procedures. These employees shall not be permitted to work until the appropriate test results have been received.

No employee shall report to duty within four hours of the reporting time after using alcohol. No supervisor having actual knowledge that an employee has used alcohol within four hours of reporting to duty shall permit the employee to perform or continue to perform job functions. Employees will not be allowed to perform job functions when ability to perform is adversely affected by alcohol use or when behavior and appearance is characteristic of alcohol misuse, or when an alcohol test registers an alcohol concentration of 0.02 or greater.

Employees who refuse to submit to alcohol testing as required by the applicable Policies and _____ Administrative Procedures _____ et seq. of Board Policy will not be permitted to perform job duties and will be recommended for termination.

Controlled Substances and Alcohol Testing/Training

_____ has implemented the following testing procedures for testing for alcohol and controlled substance/abuse. Such testing will be required as a condition of offered or continued employment.

Applicants for driving and/or safety-sensitive positions and employees requesting transfers to driving or safety-sensitive positions will be required to submit to testing prior to beginning employment or transfer. Current employees performing driving or safety-sensitive functions may be subject to:

- (a) periodic random testing;
- (b) reasonable suspicion testing;
- (c) testing after an accident or unsafe practice;
- (d) testing upon return to duty after an absence;
- (e) testing as part of or a follow-up to counseling or rehabilitation; or
- (f) testing prior to transfer to another position.

All employees, regardless of their position, are subject to reasonable suspicion testing for controlled substances and/or alcohol. (See _____ Administrative Procedures § _____.)

Alcohol testing shall consist of the use of an evidential breath testing machine (EBT) approved by the National Highway Transportation Safety Administration for both initial screening and confirmation tests. Substance use/abuse testing shall consist of urine testing for five illegal substances as defined by the National Institute on Drug Abuse (NIDA). The testing program shall follow all requirements specified in the Department of Transportation (DOT) regulations.

_____ will provide training for drugs and alcohol each year to all supervisors of employees who drive Company-owned, leased, or rented vehicles and/or who perform safety-sensitive functions. Attendance and participation in training is mandatory and will be documented.

_____ will provide training each year to supervisors who would have authority to order reasonable suspicion tests. Attendance and participation in training is mandatory and will be documented.