

SECTION 5.10 DRUG AND ALCOHOL FREE WORKPLACE

Notice Upon Hiring

All employees should be required to acknowledge that compliance with the Employer's Drug and Alcohol Free Workplace policies is a condition of employment.

Current Distribution of Drug and Alcohol Free Workplace Policy

All current employees will receive a copy of the Jefferson County Board of Developmental Disabilities (JCBDD) Drug and Alcohol Free Workplace statement and policy and will be required to sign a receipt for it, which will become a permanent part of each employee's personnel file.

The Drug and Alcohol Free Workplace Policy

Definitions

For purposes of this policy:

Employee means any person (i.e., management, supervisory or non-supervisory) who is paid in whole or in part by JCBDD.

Controlled Substance means any controlled substance contained in Schedules I through V of Section 202 of the Controlled Substance Act (21 U.S.C. 812 or as defined in Ohio Revised Code 3719.01).

Conviction means any finding of guilt, including a plea of no contest or the imposition of a sentence, or both, by any judicial body charged with the responsibility to determine violations of the federal or state criminal drug statutes.

Criminal drug statute means a criminal statute involving manufacture, distribution, dispensation, use, or possession of any controlled substance.

For purposes of this policy, all definitions will be consistent with Ohio Revised Code 3719.01.

Distribution

Each employee should be made aware of:

- Information concerning the dangers of drug/alcohol abuse in the workplace;
- A current copy of the Employer's posted/ published statement;
- A current copy of the Employer's Drug and Alcohol Free Workplace policy;
- Information concerning any available drug/alcohol counseling, rehabilitation, and employee assistance programs;
- Information concerning the penalties that will be imposed for the breach of the Employer's Drug and Alcohol Free Workplace policy; and
- Notice to the employee that any job-related conviction of any federal or state criminal drug statute must be reported in writing to the Employer within 5 calendar days after such conviction.

The information package may also be accompanied by on-site training programs.

Regulations

The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance by any employee that takes place in whole or in part in the Employer's workplace is strictly prohibited and will result in criminal prosecution and employee discipline, which may include termination from employment.

JCBDD has a zero-tolerance policy for employees who are under the influence of drugs or alcohol while at work. Employees who are using medical marijuana as authorized by Ohio law are not exempt from this policy in any way. The use of marijuana in any form for any purpose, authorized for medicinal purposes or unauthorized, will be treated the same as the use of all other Schedule 1 controlled substances, illegal drugs, or the abuse of legal drugs. Employees using Schedule 1 controlled substances or illegal drugs, including medical marijuana authorized by and in accordance with Ohio law, are still subject to all provisions of this policy and may be subject to discipline including termination for such use.

Notification of Conviction

Any employee convicted of any federal or state criminal drug statute for a workplace-related drug offense must notify the Employer of that fact within 5 calendar days of the conviction.

Any employee convicted of a workplace-related drug/alcohol offense, who fails to report the conviction as required above will be:

- Terminated from employment;
- Forever barred from future employment; and
- Held civilly liable for any loss of federal funds resulting from the failure to report the conviction.

JCBDD supports the Drug Free Workplace Act of 1988. Consequently, any unlawful manufacture, distribution, dispensation, possession, or use of controlled substances on these premises by employees is strictly prohibited, and violators will be subject to discipline and criminal prosecution.