

TRUMBULL COUNTY BOARD OF DEVELOPMENTAL DISABILITIES

Policy

Section 3.17

DRUG-FREE WORKPLACE

A. Intent of This Policy

It is the policy of the Trumbull County Board of DD to provide a workplace free of alcohol and drugs and to take reasonable measures to ensure that employee alcohol or drug abuse does not exist. The Board realizes that a successful policy may combine education, counseling, assistance and/or discipline up to and including termination.

1. Education and Training:
 - a. The Board will publish a statement notifying employees that it is unlawful to manufacture, distribute, dispense, possess, use or work under the influence of a controlled substance in any of the facilities of the Board. This statement will place employees on notice that disciplinary action will be taken if the Board discovers an employee to be in violation of this policy.
 - b. The Board shall establish a drug-free awareness program and annually inform employees about:
 1. The danger of drug/alcohol abuse in the workplace.
 2. The Board's policy of maintaining a drug-free workplace.
 3. Any available drug and alcohol counseling rehabilitation and employee assistance programs, and
 4. The action which the Board will take against employees for violating this policy.
2. Conditions
 - a. As a condition of employment, each employee shall abide by the terms of the drug-free workplace statement.
 - b. Any employee convicted (for purposes of this policy pleading guilty has the same effect as a conviction) of violating a criminal drug statute, or convicted of violating a drug/alcohol statute that results in a misdemeanor of the first degree and a felony on subsequent offenses shall provide written documentation to the Human Resources department within five (5) days.
 - c. Within (10) days of receiving actual notice that an employee has been convicted of any of the aforementioned, the Board is required by the federal Drug Free Workplace Act to notify the Ohio Department Developmental Disabilities of this fact. Within thirty (30) days of receipt of such notice, the Board shall:

1. Terminate the employee for cause if the conviction is for dispensing, trafficking, distributing, or manufacturing.
2. An employee not subject to termination as specified above, will be required to satisfactorily complete a drug/alcohol abuse assistance program or rehabilitation program of the Board's choosing.
 - a. Failure to satisfactorily complete the program will result in termination for cause of the employee.
 - b. As a further condition of employment, the employee must agree to random drug/alcohol testing for a period of twenty-four (24) months upon their successful completion of the program and return to work.
 - c. Any further convictions will result in termination for cause.
 - d. If the Superintendent, upon the recommendation of the facility director and the Director of Human Resources, has reasonable suspicion that any of the qualifying criteria in (1)(a) of this policy has been violated by an employee, the Superintendent can require that such an employee undergo drug/alcohol testing.
 1. If the employee refuses such testing, the employee will be immediately terminated for cause.
 2. If the employee's test is positive, the employee will be terminated.
 - e. If an employee has an accident while operating a Board insured vehicle, the employee may be required to submit to a drug/alcohol test depending on the circumstances surrounding the accident. Such test will be within two (2) hours, but no later than eight (8) hours, of the accident, the employee will remain in the care, control and custody of their immediate supervisor, and the provisions of (d)(1) and (d)(2) apply. Failure to comply within the required time period will result in termination.
3. Any disciplinary action that results from violation of this policy will be consistent with the disciplinary policies set forth by the Board and as agreed under the collective bargaining agreement.

Adopted: 1/26/98
Revised: 10/30/2000
Revised: 12/21/2009