

**Drug- and Alcohol-Free Workplace**

The Office is and shall continue to be a drug- and alcohol-free workplace.

1. Employees will be notified that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the workplace which includes all facilities under the control and use of the Office. All employees shall be notified of this policy at the time of their initial employment and once each year following employment.
2. Any violation of this prohibition by an employee will result in requiring such employee to participate satisfactorily in a drug-abuse assistance or rehabilitation program approved for such purposes. The employee shall bear the costs of the rehabilitation program and shall be entitled to use of whatever applicable vacation, sick, and/or medical leave benefits necessary for program participation. An employee's refusal to enroll in and complete such rehabilitation program shall be grounds for disciplinary action up to and including termination of employment pursuant to the provisions of Education Code or other applicable law.
3. Employees shall abide by the terms of this policy and notify their supervisors within five days of any criminal drug statute conviction received for a violation occurring at the workplace. For the purpose of this policy, "conviction" shall mean a finding of guilt, including a plea of *nolo contendere* or imposition of sentence, or both, by a judicial body charged with determining violation of federal or state criminal drug statutes.
4. Upon receiving notification of an employee's criminal drug statute conviction for a violation occurring in the workplace, the Office will notify federal agencies with whom contracts are held or from whom grants are received, within ten days after receiving said notification.
5. The Office shall establish a drug- and alcohol-free awareness program that will inform employees about:
  - a. the dangers of drug and alcohol abuse in the workplace;
  - b. this Board Policy of maintaining a drug- and alcohol-free workplace;
  - c. any available counseling, rehabilitation, and employee assistance programs; and
  - d. the penalties that may be imposed on employees for violations.

*Legal References:*

*California Government Code Section 8350 California Drug-Free Workplace Act of 2000  
Public Law 100-690, Title V, Subtitle E Drug-Free Workplace Act of 1988*

Adopted SMCBE 06/07/06, Revised 03/04/09 (Replaces BP 4550.4)