

Section 3.28

Date: March 1989

(State)

DRUG FREE WORKPLACE POLICY

Drug use and abuse at the workplace or while on duty are subjects of immediate concern in our society. These problems are extremely complex and ones or which there are no easy solutions. From a safety perspective, the users of drugs may impair the well-being of all employees, the public at large, and result in damage to property. Therefore, it is the policy of the State that the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited in the workplace. Any employee(s) violating this policy will be subject to discipline up to and including termination. An employee may also be discharged or otherwise disciplined for a conviction involving illicit drug behavior, regardless of whether the employee's conduct was detected within employment hours or whether his/her actions were connected in any way with his or her employment. The specifics of this policy are as follows:

1. Any unauthorized employee who gives or in any way transfers a controlled substance to another person or
sells or manufactures a controlled substance while on duty, regardless of whether the employee is on or off
the premises of the employer will be subject to discipline up to and including termination.
2. The term "controlled substance" means any drugs listed in 21 U.S. C. 812 and other federal regulations.
Generally, all illegal drugs and substances are included, such as marijuana, heroin, morphine, cocaine, codeine
or opium additives, LSD, DMT, STP, amphetamines, methamphetamines, and barbiturates.
3. Each employee is required by law to inform the agency within five (5) days after (s)he is convicted for violation
of any federal or state criminal drug statute. A conviction means a finding of guilt (including a plea of nolo
contendere) or the imposition of a sentence by a judge or jury in any federal or state court.

4. The employer (the hiring authority) will be responsible for reporting conviction(s) to the appropriate federal granting source, within (10) days after receiving notice from the employee or otherwise receives actual notice of such a conviction(s). All conviction(s) must be reported in writing to the Office of Personnel Administration (OPA) within the same time frame.
5. If an employee is convicted of violating any criminal drug statute while on duty , (s)he will be subject to discipline up to and including termination. Conviction(s) while off duty may result in discipline or discharge.
6. The State encourages any employee with a drug abuse problem to seek assistance from the Rhode Island Employee Assistance Program (RIEAP). Your department personnel officer has more information on RIEAP.
7. The Law requires all employers to abide by this policy.