

DRUG- AND ALCOHOL- FREE WORKPLACE

Employees are required to report to work with no alcohol or illegal drugs or mind altering substances in their bodies. Employees are prohibited from using, possessing, manufacturing, distributing or making arrangements to distribute or purchase alcohol or illegal drugs while on school property or attending school-related activities. Employees under the influence of alcohol or illegal drugs while on duty will be subject to termination.

The board will require drug or alcohol testing under the following conditions, in addition to randomly testing those employees who are required to have a commercial driver's license (CDL):

- All prospective employees who have been offered employment contingent on negative test results for the presence of alcohol or illegal drugs;
- All employees who operate school system vehicles or motorized equipment who are not required to have CDL are subject to random testing; and
- All employees as to whom there is a reasonable suspicion of the influence of alcohol or illegal drug use while on duty.

All employees are subject to testing for alcohol and any and all illegal drugs, including but not limited to amphetamines, cannabinoids, cocaine, opiates and phencyclidine. Such test will be arranged by the drug program coordinator.

For Positions/Personnel Requiring a Commercial Driver's License:

The Department of Human Resources in conjunction with the Transportation Department will develop and distribute to all personnel or persons in positions requiring CDL who have been given an offer of employment for positions requiring a CDL a copy of the board's Drug and Alcohol CDL Testing Guidelines and Procedures. These guideline will include this policy in addition to addressing the specific information required under Part 382 of Title 49 of the Code of Federal Regulations. Applicable personnel and persons receiving the guidelines shall sign a statement certifying that they have received the materials.

For All Other Personnel:

Prospective Employees

Pre-employment substance screening by a school system-approved drug testing agency will be required for prospective employees after being offered employment contingent on a negative result.

Prospective employees are required to sign a consent/release for before submitting to screening. Prospective employees will be disqualified for hire if they test positive, refuse to submit to a test, or refuse to execute the required consent/release form.

The cost of the drug test is the responsibility of the prospective employees.

Current Employees

1. Reasonable Suspicion

All employees may be required to submit to screening whenever a supervisor observes circumstances which provide reasonable suspicion of drug or alcohol use. The supervisor's determination that reasonable suspicion exists should be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or odors of or emanating from the employee.

Alcohol tests are authorized for reasonable suspicion only if the required observations are made during, just before or just after the period of the work by employees acting within the line and scope of employment. An alcohol test may not be conducted by the person who determines that reasonable suspicion exists to conduct such a test.

Refusal to submit to a reasonable suspicion test request will be considered grounds for dismissal.

The assistant superintendent or executive manager of Human Resources or his/her designee or coordinator of the drug program should be notified whenever possible or feasible prior to referring the employee for reasonable suspicion testing.

The coordinator of the drug program or his/her designee will make arrangements for reasonable suspicion drug and/or alcohol testing.

If an employee is required to take a reasonable suspicion drug and/or alcohol test, transportation to and from the testing site will be arranged.

2. Random Testing

Random, unannounced drug screening of all employees who drive school system vehicles or motorized equipment will be conducted.

Random selection for testing of the above employees will adhere to the same guidelines as those followed for employees with a CDL.

3. Post Accident Testing

Alcohol and controlled substance tests shall be conducted as soon after an accident as practicable on any driver or equipment operator:

1. Property damage of a substantial nature.
2. Physical injury to any person.

Drivers or motorized equipment operators must make themselves readily available for testing, absent the need for immediate medical attention.

Prescription Drugs

The proper use of medication prescribed by a physician is not prohibited; however, the misuse or abuse of prescribed (or over the counter) medications is prohibited.

All employees who are using drugs at the direction of a physician must notify their supervisor prior to beginning work when those drugs may affect their job performance.

Employees who are subject to this must provide documentation from their physician stating that the substance does not adversely affect their ability to perform their duties in a safe manner.

Employee Education

The board will provide to employees subject to this policy, educational material and the names of treatment facilities for alcohol and substance abuse.

The Mobile County Public School System shall comply with all laws regarding the maintenance of drug free schools including, but not limited to Code of Alabama §16-1-24.1, as amended.

Legal Reference: Code of Alabama § 16-1-24.1, as amended.

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Date Adopted: December 11, 2007

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