

304: Drug Free Workplace and Reasonable Suspicion

1. Purpose

With this policy St George Academy affirms a commitment to maintain a Drug-Free Workplace and establishes conditions under which SGA will conduct testing of employees based on reasonable suspicion that the employee has violated this policy and is under the influence of alcohol, intoxicants, illegal substances or misused prescription or over-the-counter medications.

2. Policy

2.1. Drug-Free Workplace

2.1.1. Because of the special role the school system plays in discouraging students from using controlled substances, it is the policy of St George Academy that employees are required to refrain from illegally using, possessing, manufacturing, dispensing, or selling controlled substances (drugs) in their private lives. Furthermore, employees of SGA must be free of the influence, use, possession, selling and dispensing of drugs and alcohol while on duty or on SGA property.

2.1.2. Any employee who has a substance abuse or alcohol abuse addiction is encouraged to obtain assistance for his or her problem by admission to a drug or alcohol abuse treatment program. Employees are strongly urged to seek such assistance before their addiction becomes a matter of public knowledge or has affected their ability to effectively perform their job responsibilities. SGA Administration can provide an employee with information on substance abuse treatment options upon request. St George Academy will not excuse a violation of this policy on the pretext that the employee intended to seek the assistance of a treatment program.

2.2. Penalties for Violation

It is the policy of St. George Academy that the following misconduct violations will not be tolerated and are considered sufficiently serious to warrant immediate disciplinary action up to and including termination:

2.2.1. Reporting to work under the influence of alcoholic beverages or other intoxicants, illegal narcotics, or misused prescription or over-the-counter medications.

2.2.2. The manufacture, possession or distribution of alcoholic beverages intoxicants, illegal narcotics, or other controlled substances on school premises or at school-related activities.

2.2.3. The use of or being under the influence of alcohol or other intoxicants or illegal narcotics, or misused prescription or over-the-counter medications.

2.2.4. Any conduct that is administratively determined to be a violation of Utah Law relating to drug or alcohol use.

2.3. Effect of Failure to Comply with Reasonable Suspicion Drug And Alcohol Testing

An employee who refuses to submit to an alcohol and/or drug test or who violates any aspect of these guidelines may be subject to disciplinary action up to and including termination.

3.Procedure

3.1.Reasonable Suspicion Drug and Alcohol Testing

If SGA Administration has reason to suspect that an employee is violating the above Drug-Free Workplace policy, they may require the employee to submit immediately to medical tests, including but not limited to breathalyzer, urine, and/or blood testing.

3.1.1. "Reasonable Suspicion" is defined as a belief based on objective facts and the rational inferences which may be drawn from such facts or based on direct or reported observations from a verifiable source that the particular employee is has violated the Drug-Free Workplace policy.

3.1.2. Common signs which indicate a drug or alcohol abuse problem or circumstances which together may constitute a reasonable suspicion of a violation of the Drug-Free Workplace policy include, but are not limited to, the following:

1) Observed alcohol or drug use.

2) Unexplained work-related accidents or injury.

3) Presence of physical symptoms commonly associated with substance abuse such as: impairment of motor functions, slurred speech, incoherent or irrational mental state, drowsiness, smell of alcohol or marijuana, extreme weight loss, red eyes, runny nose, or sniffing, frequent or extreme mood changes, lack of physical coordination, deteriorating work performance, and/or attendance problems, frequent absences or lateness, unexplained absence from assigned work, frequent or extended visits to the restroom, deterioration in dress and/or grooming, or other marked, unexplained changes in personal behavior.

3.2.Over the Counter or Prescription Drugs

An employee shall not come to work if, when taking or under the influence of over the counter or prescription drugs, such medication negatively affects his/her work performance. If the employee is unable to perform his/her job without impairment caused by the medication, the employee shall request sick leave, vacation leave, or leave without pay until the condition for

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which such medication is being taken is no longer present or use of the medication causing impairment has been discontinued.

3.3. Drug Testing Methodology for Reasonable Suspicion Testing

A certified collection agent and laboratory will conduct testing.

3.4. Alcohol Testing

Alcohol testing shall consist of a standard blood or breath alcohol testing procedure.

3.5. Confidentiality

3.5.1. The results of drug screening or and alcohol tests shall not be included in an applicant's or an employee's file but shall be retained by the Business Manager in a separate file, exempt from public inspection.

3.5.2. Any conditions of employment which may be established as a result of the drug test will become part of the employee's personnel file.

3.5.3. Test results and ancillary information may be disclosed to other management personnel on a need-to-know basis only or to any person upon the written consent of the employee.

3.6. Management Requirements for Reasonable Suspicion Drug/Alcohol Screening

3.6.1. SGA Administration shall be responsible for the implementation and consistent enforcement of these guidelines.

3.6.2. The decision to require that an employee submit to alcohol and drug screening shall be approved by the Executive Director.

3.6.3. SGA Administration shall review the facts to ensure the appropriateness of requiring the employee to submit to the alcohol and drug screening.

3.6.4. Administrative personnel must document, in writing, the facts constituting reasonable suspicion or violation of these guidelines.

3.6.5. Administrative personnel must inform (with appropriate witness) any employee being re- quired to submit to the drug testing of the consequences of non-compliance with a directive to submit to drug/alcohol screening.

3.6.6. Administrative personnel or their designee shall accompany the employee to the testing facility and shall remain at the testing facility with the employee until testing is completed.

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3.6.7. The Administration shall arrange for the tested employee to be escorted to and from the testing location and take reasonable steps to attempt to prevent the employee from driving.

3.6.8. Under no circumstances shall an employee be required to transport an employee exhibiting violent or threatening behavior. In such cases, the responsible employee shall immediately contact the appropriate law enforcement agency.

3.6.9. Once the alcohol and drug screening collection process has been properly completed, SGA Administration shall decide if the subject employee is to be returned to a limited duty capacity or placed on administrative leave pending the results of the alcohol and drug screening.

3.6.10. If relieved of duty, the employee may be placed on administrative leave with pay or granted sick leave at the sole discretion of SGA Administration.

3.6.11. SGA Administration shall take the appropriate administrative and/or disciplinary actions in accordance with policy