**Please place your Drug-Free Workplace Policy on your agency letterhead and have it signed by your human service official authorized to sign your grant agreements. This is an example that would meet minimum Federal and State requirements for the Drug-Free Workplace Policy under 49 CFR part 32.**

**Note that this policy does NOT address any drug and alcohol testing program requirements that your agency may be subject to under 49 CFR part 382 or 49 CFR part 655.**

This policy template was drafted using the online policy builder available through the US Department of Labor website at: <http://webapps.dol.gov/elaws/drugfree.htm>

**Name of Agency**

**Drug-Free Workplace Policy**

**Adopted Date**

**Purpose and Goal**

**(Organization name)** is committed to protecting the safety, health and well-being of all employees and other individuals in our workplace. We recognize that alcohol abuse and drug use pose a significant threat to our goals. We have established a drug-free workplace policy and education program that balances our respect for individuals with the need to maintain an alcohol and drug-free environment. This organization encourages employees to voluntarily seek help with drug and alcohol problems.

**Covered Workers**

Any individual who is employed by the organization, is applying for a position, or is conducting business on the organization's property or in the organization’s vehicles is covered by our drug-free workplace policy. Our policy covers all employees on our payroll, including temporary employees. Employees must abide by the terms of this policy as a condition of employment.

**Applicability**

Our drug-free workplace policy is intended to apply whenever anyone is representing or conducting business for the organization. Therefore, this policy applies during all working hours, whenever conducting business or representing the organization, while on organization property, and while in or servicing organization vehicles.

**Prohibited Behavior**

It is a violation of our drug-free workplace policy to use, possess, distribute, dispense, sell, trade, and/or offer for sale controlled substances, including alcohol, illegal drugs or intoxicants.

**Notification of Convictions**

Any employee who is convicted of a criminal drug violation in the workplace must notify the organization in writing within five calendar days of the conviction. The organization will take appropriate action within 30 days of notification. Federal funding agencies will be notified when appropriate.

**Consequences**

One of the goals of our drug-free workplace program is to encourage employees to voluntarily seek help with alcohol and/or drug problems. If, however, an individual violates the policy, the consequences are serious.

In the case of applicants, if he or she violates the drug-free workplace policy, the offer of employment can be withdrawn. The applicant may (not reapply OR reapply after six months/one year/whatever your organization’s policy is) and must successfully pass a pre-employment drug test.

If an employee violates the policy, he or she will be subject to progressive disciplinary action and may be required to enter rehabilitation. An employee required to enter rehabilitation who fails to successfully complete it and/or repeatedly violates the policy will be terminated from employment. Nothing in this policy prohibits the employee from being disciplined or discharged for other violations and/or performance problems. (Your organization could opt to terminate the employee rather than progressive discipline/rehabilitation.)

**Return-to-Work Agreements**

Following a violation of the drug-free workplace policy, an employee may be offered an opportunity to participate in rehabilitation. In such cases, the employee must sign and abide by the terms set forth in a Return-to-Work Agreement as a condition of continued employment. (Your organization could opt to bar a violating employee from future employment.)

**Assistance**

**(Organization name)** recognizes that alcohol and drug abuse and addiction are treatable illnesses. We also realize that early intervention and support improve the success of rehabilitation. To support our employees, our drug-free workplace policy:

* Encourages employees to seek help if they are concerned that they or their family members may have a drug and/or alcohol problem.
* Encourages employees to utilize the services of qualified professionals in the community to assess the seriousness of suspected drug or alcohol problems and identify appropriate sources of help.
* (If appropriate: Provides the services of an Employee Assistance Program.)
* Allows the use of accrued paid leave while seeking treatment for alcohol and other drug problems.

Treatment for alcoholism and/or other drug use disorders may be covered by the employee benefit plan. However, the ultimate financial responsibility for recommended treatment belongs to the employee.

**Confidentiality**

All information received by the organization through the drug-free workplace program is confidential communication. Access to this information is limited to those who have a legitimate need to know in compliance with relevant laws and management policies.

**Shared Responsibility**

A safe and productive drug-free workplace is achieved through cooperation and shared responsibility. Both employees and management have important roles to play.

All employees are required to not report to work or be subject to duty while their ability to perform job duties is impaired due to on- or off-duty use of alcohol or other drugs.

In addition, employees are encouraged to:

* Be concerned about working in a safe environment.
* Support fellow workers in seeking help.
* Report dangerous behavior to their supervisor.

It is the supervisor's responsibility to:

* Inform employees of the drug-free workplace policy.
* Observe employee performance.
* Investigate reports of dangerous practices.
* Document negative changes and problems in performance.
* Counsel employees as to expected performance improvement.
* Clearly state consequences of policy violations.

**Communication**

Communicating our drug-free workplace policy to both supervisors and employees is critical to our success. To ensure all employees are aware of their role in supporting our drug-free workplace program:

* All employees will receive a written copy of the policy.
* The policy will be reviewed in orientation sessions with new employees.
* Posters and brochures will be available at all locations.
* Employee education about the dangers of alcohol and drug use and the availability of help will be provided to all employees.
* Every supervisor will receive training to help him/her recognize and manage employees with alcohol and other drug problems.

(Note: Guidance in preparing posters, brochures, and employee education can be found in the U.S. Department of Health and Human Services’ Drug-Free Workplace Kit -

<http://store.samhsa.gov/shin/content/SMA07-4230/SMA07-4230.pdf>)

**Drug & Alcohol Testing Program**

If your organization has a drug & alcohol testing program, you may wish to reference it here. However, this is a separate Federal requirement (if applicable to your agency) and your Drug-Free Workplace Policy should be distinctly identified as such.

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Signature & Name of Authorized Official Date