

SCHRA Policy

Prohibiting Employee Use of Illegal Drugs & Suspicious Drug Screening

DATE: May 1, 1989 (rev. 03-25-96; rev. 09-20-06; rev. 07-01-09)

1. It is the policy of the South Central Human Resource Agency that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited while on agency premises or while engaged in work for the agency.
2. Violation of this policy will result in disciplinary action as follows: May be sufficient grounds for immediate dismissal as contemplated under misconduct or other disciplinary action pending a determination of the severity of same.
3.
 - a. Use of illegal or controlled substances may result in death to the drug user as a result of using the drug. Drug use in the workplace may also cause accidents resulting in death or injury to the employee or his co-workers, damage to property, adverse public relations for the agency and a general impairment of the efficiency of the agency in serving its clients.
 - b. It is the policy of the agency to maintain a drug free workplace.
 - c. The agency reserves the right to allow employees to participate in an education and/or treatment program approved by the agency as an alternative to or in addition to disciplinary action. If such a program is offered and accepted by the employee, then the employee must satisfactorily participate in and complete the program as a condition of continued employment.
4. Each employee must, as a condition of employment with the agency:
 - a. Acknowledge receipt of the policy
 - b. Abide by the terms of this policy
 - c. Notify the agency of any criminal drug statue conviction for a violation occurring within the workplace no later than five (5) days such conviction.
5. Employees will be subject to suspicious drug use policy mandated by *(TN LAW (TCA 71-3-514))*
 - a. Require employee to submit to a drug/alcohol test immediately.
 - b. Refusal by employee to submit to drug/alcohol test will be considered insubordination and result in immediate termination.
 - c. Based on safety policy the employee shall be placed on leave until such test can be completed and results determined.
 - d. Payment of such test will be made by the Grant/Department in which the employee works.
 - e. Upon results of Drug Test make a determination based on as to the disciplinary actions for any employee who has tested positive for illegal drug use.
 - f. Results of any Drug Test conducted for reasonable suspicion or other necessary drug test for employment of continued employment shall be maintained in Agency Personnel Department in a confidential file.
 - g. Any reasonable suspicion should be documented by noting events based on the following:

Reasonable Suspicion (events):

Deterioration in job performance or changes in personal traits or characteristics;
Appearance in a specific incident or observation which indicates that an individual is under the present influence of drugs;
Charges in personal behavior not attributable to other factors;
Involvement in or contribution to an accident where the use of drugs is reasonably suspected, regardless of whether the accident involves actual injury; or
Alleged violation of or conviction of criminal drug law statutes involving the use of illegal drugs or prescription drugs.

6. The Agency, as part of this policy will:

- a.) Notify the federal agency from which it receives grants of any criminal Drug statue conviction for a violation occurring in the workplace. This notification will be made within ten (10) days of the agency becoming aware of same.
- b.) Impose appropriate disciplinary action on any employee convicted of any criminal drug statue conviction for a violation occurring in the workplace. Such disciplinary action will be taken within thirty (30) days after the agency receives notice of the conviction.
- c.) Make a good faith effort to continue to maintain a drug free workplace through the implementation of this policy.

Sincerely,

Paul T. Rosson

CERIFICATION OF ACKNOWLEDGEMENT

By signature affixed hereto, I am acknowledging receipt of the South Central Human Resource Agency Administrative Directive 04-02-1989 (rev. 03-25-96, rev. 09-20-06, rev. 07-01-09) establishing Policy Prohibiting employee use of illegal drugs in compliance with Federal Public Law 100-690, 102 Stat. 4181. And State of TN Law ***TCA 71-3-514***.

Employee Signature

Date