

Drug and Alcohol-free Workplace

Policy Code:

7240

Descriptor Term: DRUG AND ALCOHOL FREE WORKPLACE		Descriptor Code: 7240* (formerly GA)
Presented to the Board: December 15, 2005 (1st Reading) January 26, 2006 (2nd Reading)	Adopted by the Board: October 23, 2001	Revised by the Board: January 26, 2006 Recodified as policy 7240: May 10, 2022

Prohibition on Drug and Alcohol Use

It is the policy of the Guilford County Schools that the work environment shall be free of the presence of alcoholic beverages or unlawful controlled substances and that employees shall perform their job assignments safely, efficiently, and without the adverse influence of alcohol or controlled substances. Therefore, the school system prohibits all employees from possessing, using, manufacturing, dispensing, selling, distributing, or being under the influence of illegal drugs and from the use, sale, distribution or possession of drug paraphernalia. All employees are prohibited from unlawfully possessing, using, manufacturing, dispensing, selling, distributing, or being under the influence of alcohol. Consideration will be given as to whether rehabilitation will be offered to employees who have difficulty with drugs or alcohol, so that they may live up to standards set by this policy. A summary of this policy will be given to each employee.

This policy shall govern each employee (1) during school hours, (2) while on any property owned or leased by the Board, (3) at any time during which the employee is acting in the course and scope of [his/her/their](#) employment with the Board, and/or (4) at any other time that the employee's violation of this policy has a direct and adverse effect upon the performance of [his/her/their](#) job.

It is a condition of continued employment that each individual shall comply with this policy and shall notify [his/her/their](#) supervisor of any charge, conviction (or plea of guilty, no contest, or "nolo contendere") of any criminal drug or alcohol statute no later than the next business day after any such charge, conviction or plea. Similarly any employee whose duty it is to drive a vehicle or repair equipment or vehicles shall comply with the policy and shall notify [his/her/their](#) supervisor of [his/her/their](#) arrest or charge of violation of any criminal drug statute or any motor vehicle violation involving the use of alcohol or controlled substances at any time and shall notify [his/her/their](#) supervisor of any charges for those offenses no later than the next business day after being charged.

Violation of this policy shall subject an individual to personnel action including, but not limited to, termination of employment or the requirement that the employee participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by the Administration, or suspension, with or without pay, or conditional continuation of employment, or any combination of these enumerated actions. The acts prohibited by this policy do not

include the lawful and proper use of drugs prescribed by a doctor or over-the-counter medications. However, no employees shall report to work or engage in normal duties, if ~~he/she~~ is/they are visibly and/or knowingly impaired by drugs prescribed by a doctor or over-the-counter medications. Such conduct is considered improper and may result in further disciplinary action up to and including dismissal.

Testing

The district requires pre-employment drug testing for all recommended candidates for employment in roles that involve driving district vehicles and/or operating heavy machinery. The school ~~system~~-district reserves the right to ~~test~~-require that employees whose duty it is to drive a vehicle, repair vehicles or equipment, provide armed security and other persons in similar safety positions ~~anytime prior to or during employment~~submit to a drug and/or alcohol test. The ~~system~~ district reserves the right to ~~test~~-require any employee to submit to a drug and/or alcohol test upon reasonable suspicion of drug or alcohol use on GCS property or while on duty.

All drug and alcohol testing must be performed under reasonable and sanitary conditions with respect for the individual dignity of the employee. GCS will use only accredited laboratories and will abide by all legal requirements associated with drug and alcohol testing.

Any employee who refuses to submit to any diagnostic test to detect alcohol and/or drug use or refuses to submit to search procedures after reasonable suspicion is established may be suspended immediately pending consideration of a decision to terminate employment.

Legal References: 21 U.S.C. 812; 41 U.S.C. 8101 et seq.; 21 C.F.R. 1300.01-.04 and 1308.11-.15; G.S. 20-138.2B; 90-89 to -94; 115C-36; O'Connor v. Ortega, 480 U.S. 709 (1987)

Cross References: Employee Responsibilities (policy 7300)

Adopted: October 23, 2001

Revised: January 26, 2006; May 10, 2022 (recoded from GA); [date]