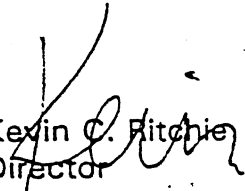


MEMORANDUM

State of Alaska
Department of Administration

TO: All Human Resources Managers

DATE: December 21, 1993

FM: 
Kevin C. Ritchie
Director
Division of Personnel/OEEO

PHONE: 465-4429

SUBJECT: Personnel Memorandum 93-4
Drug-Free Workplace Policy

This memorandum shall replace all previous personnel memoranda which speak to policy for the State of Alaska on the Drug-Free Workplace Act of 1988. This memorandum becomes effective immediately.

For purposes of this policy statement, "controlled substances" are those included in the Drug-Free Workplace Act of 1988. Copies of Schedules I through V of Section 202 of the Federal Controlled Substance Act, Title 21, Section 812 of the U.S. Code and 21 CFR 1308.11 through 1308.15 which define controlled substances are available from the Alaska State Library.

The Drug-Free Workplace Act requires that all employees who are in any way funded by federal monies must be made aware of the State's drug-free workplace policy and the conditions of employment, and also that the employees certify that they have received and understand this information. It is the policy of the State that all employees will be given a copy of this policy and asked to certify receipt and understanding.

The Drug-Free Workplace policy is part of the Employee Orientation section of the Supervisors' Manual and one of the documents to be completed when an employee hires on with the State.

Policy Statement

It is the policy of the State of Alaska to provide a drug-free work environment. The use of controlled substances or alcohol in the workplace is inconsistent with expected behavior, subjects employees and visitors to unacceptable safety risks, and undermines the employee's ability to function effectively and efficiently.

Any employee who unlawfully manufactures, distributes, dispenses, possesses, or uses a controlled substance or alcohol in the workplace, or on State property, is subject to disciplinary action up to and including dismissal. This does not preclude legal action concerning criminal offenses.

Procedures

- * Notices of this policy (attached for your convenience) and the dangers of drug abuse/alcohol use in the workplace are to be posted at each State job site along with information on where to get a current listing of agencies and institutions that provide drug or alcohol abuse counseling and rehabilitation. Such agencies are the Employee Assistance Program and the agencies listed in the Directory of Approved Alcoholism and Drug Abuse Programs which is put out each year by the Division of Alcoholism and Drug Abuse in the Department of Health and Social Services.
- * The Policy Statement and Certification (attached) setting out the policy and the consequences of noncompliance shall be given to each employee of the State and then made a part of each new employee packet. Each employee will be required to read and certify they have received, read, and understand that compliance with the policy is a condition of employment. For those agencies who have employees currently who have not completed a certification, these should be secured at the time of this initial distribution. Posters (in accessible formats, of course) are needed which clearly states the Drug-Free Workplace policy and provides space for each agency to include the name, address, and telephone number of any regionally available approved drug/alcohol rehabilitation programs.

These signed certifications are made a part of the employee's permanent State employee record. A copy will also be kept in the employee's agency personnel file.

- * Supervisors will report to the respective Human Resources Managers who will, in turn report to the Division of Personnel/OEEO, any employee who sustains a conviction of job related drug/alcohol abuse within 7 calendar days of the conviction. The Division of Personnel/OEEO will make the necessary report to the federal agencies on behalf of the Governor.
- * The Director of the Division of Personnel/OEEO will annually provide the Governor with the required Certification of a Drug-Free Workplace form for his signature. The Division will then distribute this signed certification to each of the Human Resources Managers for appropriate distribution. These Certifications are required to be a part of each agency-federal grant agreement and must be updated annually for the federal fiscal year. With the distribution of this annual certification document, the Division will include any new information on employee assistance programs, certified rehabilitation and/or counseling programs. This information can then be used to bring the locational posters up to date in areas where there is a change.
- * The Division will develop information for employees which discusses the dangers of drug/alcohol abuse in the workplace for distribution thru each department. This may take a format which may be posted at each worksite or given to each individual employee. Some agencies (Transportation and Public Facilities and Public Safety) have developed comprehensive informational brochures which are given to their employees. These are an option for use in meeting the requirement to inform employees of the hazards of drug and alcohol use/abuse in the workplace. As they are relatively expensive to produce, this choice is left to the respective departments.

DRUG FREE WORKPLACE ACT OF 1988

NOTICE TO EMPLOYEES COVERED BY THE ACT

It is the policy of the State of Alaska to provide a drug free workplace. Any employee who unlawfully manufactures, distributes, dispenses, possesses, or uses a controlled substance in the workplace or during working hours is subject to disciplinary action to and including dismissal. This is independent of any criminal action concerning the offense.

The State is committed to helping employees find resources for drug or alcohol counseling and rehabilitation. Substance abuse on State property, however, will not be tolerated.

Employees are required to notify the employer in writing no later than five calendar days following a conviction for any criminal drug offense occurring in the workplace.

As a condition of employment, employees in agencies receiving federal grants covered by the Drug Free Workplace Act of 1988 must abide by the terms of this policy.

Employee Certification

I certify that I have read the above policy and understand it and the conditions of employment with the State of Alaska. I understand I may receive discipline up to and including dismissal should I fail to follow the dictates of this policy.

Employee Signature

Date

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