

MANUAL OF PROCEDURE

PROCEDURE NUMBER: 2400

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PROCEDURE TITLE: All Personnel: Drug/Alcohol Free Workplace

STATUTORY REFERENCE: FEDERAL DRUG FREE WORKPLACE ACT AND FLORIDA STATUTES 112.0455, 112.319(3)(4)(1) AND 1001.64(3)(6)(18)
STATE BOARD OF EDUCATION RULES 6A-14.0247(6); 6A-14.0262(7)(13)
REHABILITATION ACT OF 1973 AS AMENDED
AMERICANS WITH DISABILITIES OF 1990 AS UNDER LEGAL AUTHORITY

BASED ON POLICY: II-86 All Personnel: Drug/Alcohol Free Workplace

EFFECTIVE DATE: November 8, 2005

LAST REVISION DATE:

LAST REVIEW DATE: November 8, 2005

PURPOSE

To provide College guidelines regarding the implementation of College's obligation to operate a drug/alcohol free workplace.

A. COLLEGE RESPONSIBILITY

The College shall conduct a drug/alcohol awareness education program which shall include information about the following:

1. the dangers of drug use in the workplace;
2. the College policy statement;
3. rehabilitative services available through the College health benefit programs, local and state agencies and other resources;
4. the consequence for violation of the College Drug/Alcohol Free Workplace policy.

All employees of the College shall receive a copy of the Drug/Alcohol Free Workplace Policy statement and sign a copy of the College policy statement.

The College shall require any employee convicted of a criminal drug/alcohol statute violation to notify the College of the conviction within 48 hours following the date of conviction. For employees

assigned to federal grants, the College shall notify the Federal Grantor within the time frame requested.

Within a reasonable time period after receipt of the notification of an employee's conviction, the College shall:

1. review the circumstances of the case; and
2. terminate the employee; or
3. continue the employment relationship, under the condition that the employee satisfactorily participate in a drug assistance or rehabilitation program approved for such purposes by the Federal, State or local health, law enforcement, or other appropriate agency.

B. EMPLOYEE RESPONSIBILITY

As a condition of employment, College employees shall:

1. abide by the College Drug/Alcohol Free Workplace policy statement;
2. notify the College of any criminal drug statute conviction for any violation no later than five days after the date of conviction.

- C. The College has rehabilitative services available for employees who self-identify as suffering from drug/alcohol addiction. Employees utilizing the program who are subsequently found to have a recurrence of drug/alcohol use may be terminated. This program shall be subject to applicable laws, including the Americans with Disabilities Act. An employee who continues to demonstrate inadequate or deteriorating work standards, high absenteeism, or other related employee deficiencies will be subject to dismissal.

In recognition of the seriousness of drug/alcohol dependency, and to accommodate employees with such illnesses, the following guidelines shall apply:

1. Employee Addiction

In accordance with ADA, the employee must self-identify to receive reasonable accommodation. Once an employee is identified as suffering from drug/alcohol dependency, it is imperative that the employee enter and complete a medical treatment program approved by the College. Failure of the employee to: (a) participate in and successfully complete the prescribed treatment program, and (b) to withdraw from drug/alcohol dependency, will jeopardize the employee's continued employment with the College.

2. Guidance and Referral


The guidance and referral program should be administered by as few designated employees as possible to facilitate privacy. Referrals to the employee's physician will be based on the individual's medical insurance coverage.

3. Medical Treatment

In addition to its regular medical coverage for its employees, the College will provide a special leave in appropriate circumstances. When an employee is confined in a medical facility for medical detoxification treatment, the College will grant a leave of absence which is supported by a recommendation from an appropriate medical professional and for which the employee is eligible based on College policies and procedures and applicable law. Such leave is generally leave without pay but may be leave with or without pay under the Family Medical leave Act, as applicable.

If the employee has accrued vacation and/or sick leave, the leave without pay will commence after those benefits are exhausted. The College will maintain the employee’s medical/health and life insurance programs during the unpaid leave for a maximum of 12 weeks, but no more than allowed under FMLA guidelines.

During this period of unpaid leave, the employee may request that the College advance the cost of the employee’s dependent health benefits to ensure uninterrupted coverage. When the College grants the employee’s request, a payroll deduction form will be executed. Upon the employee’s return to work, the College will arrange to recover such dependent health benefit costs via payroll deduction in an amount no less than \$25.00 per pay period. To ease the hardship of leave without pay, deductions for dependent health benefit coverage may commence as late as the second pay period following the employee’s return to work. If the employee’s employment is terminated for any reason, the remainder owed for dependents’ coverage will be deducted from the final paycheck, terminal sick leave, terminal vacation pay and/or any other settlement monies due the employee.

	
	11/8/05
PRESIDENT	DATE