

3.004. Drug Free Workplace

General Policy Statement

Employees are C.E.S.' most valuable resource and for that reason, their health and safety is of paramount concern. Whenever possible, C.E.S. will assist employees in overcoming drug, alcohol and other problems which may adversely affect employee job performance.

Therefore, in accordance with the Drug Free Workplace Act of 1988 and the Drug Free School and Communities Act, the illegal manufacture, use, sale, or possession of narcotics, drugs or controlled substances is strictly prohibited on school property and at all school-sponsored activities. Further, any use of marijuana or alcohol, which would impair an employee's performance during school hours is prohibited.

The legal use of controlled substances prescribed by a licensed physician is not prohibited, but employees in selected positions are required to make such use known to an appropriate C.E.S. representative.

An employee in violation of this policy, including the possession, use, distribution of any drug or alcohol or drug paraphernalia, and/or being under the influence of drugs, alcohol, or marijuana is subject to disciplinary action up to and including termination.

The Executive Director is authorized to require an employee to submit to drug testing in certain specific circumstances.

Since drug and alcohol use and abuse may be indicative of a serious underlying condition, the Council shall make every effort to offer an employee help and assistance that could include early identification of substance abuse problems, referral for treatment, and aftercare.

This policy will be distributed to all employees of C.E.S. Every employee will be required to acknowledge his or her receipt of the policy in writing. A copy of that acknowledgement shall be maintained electronically in human resources.

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REVISED: October 22, 1992
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3.004A. Drug Free Workplace Administrative Regulations

A. Disciplinary Consequences

1. Discharge will result when an employee has engaged in the following conduct:
 - a. Illegal manufacture, use, sale or possession of narcotics, drugs or controlled substances while on the job or on C.E.S. premises.
 - b. Illegal manufacture or sale of narcotics, drugs, or controlled substances off duty and off C.E.S. premises.
2. Discipline up to and including discharge will result when an employee has engaged in the following conduct:
 - a. Illegal use or possession of narcotics, drugs or controlled substances while off duty and off C.E.S. premises.
 - b. Use or possession of alcohol while on duty and/or on C.E.S. premises.
 - c. Reporting for work under the influence of drugs or alcohol.
 - d. Failure to successfully meet the requirements of a rehabilitation program required or authorized by C.E.S.
 - e. Refusal to submit to urinalysis drug testing as required by this policy.

B. Rehabilitation Program

1. The Executive Director may require or authorize an employee rehabilitation program to assist the employee in overcoming a drug or alcohol abuse problem in the following circumstances:
 - a. when an employee voluntarily discloses that he has a problem with drug or alcohol dependency. A disclosure of such a problem by an employee upon notice from C.E.S. that he is scheduled for urinalysis drug testing shall not be deemed to be a voluntary disclosure.
 - b. when C.E.S. determines that an employee has a drug or alcohol dependency problem which is adversely affecting or could adversely affect the employee's job performance. C.E.S. may require that an employee participate in a rehabilitation program as a condition of employment.
 - c. when an employee submits to drug testing and a positive result is confirmed.
 - d. in any other circumstances when C.E.S. determines that a rehabilitation program is appropriate.

3.004A. Substance Abuse Prevention/Drug Testing Procedures (Cont'd.) Pg. 2

2. An employee rehabilitation program shall be designed by medical professionals, acceptable to C.E.S., to meet the employee's needs. In the event a residential program is required, the employee shall request a leave of absence. The employee may elect to receive non-job-related disability benefits, if such benefits are available.
3. Reinstatement to employment shall be contingent upon the employee's satisfactory completion of the rehabilitation program and the employee's continuing participation in a follow-up program, if recommended. Upon reinstatement, an employee with previous drug dependency shall submit to drug testing at least bi-monthly for the first twelve (12) months and at least quarterly for the next thirty-six (36) months. An employee who refuses to submit to follow-up drug testing as required or who fails to continue in the prescribed follow-up program or who experiences a positive drug test result after reinstatement shall be discharged.

C. NOTIFICATION BY EMPLOYEE OF USE OF PRESCRIBED CONTROLLED SUBSTANCES

Employees in the following classes of employment shall notify the personnel office who will in turn notify the appropriate program manager when they are using controlled substances prescribed by a licensed physician:

1. School bus drivers
2. Other employees who hold a public passenger transportation permit and are required to transport students in C.E.S. vehicles.

D. Drug Testing

1. Urinalysis drug testing of employees will be required in the following circumstances:
 - a. Upon reasonable suspicion that the employee is under the influence of drugs or alcohol which adversely affects or could adversely affect such employee's job performance.
 - b. On a random basis, as part of an employee assistance or rehabilitation program sponsored or authorized by C.E.S. in which the employee voluntarily participates.

3.004A. Substance Abuse Prevention/Drug Testing Procedures (Cont'd.) Pg. 3

- c. On a random basis, if a urinalysis drug test is authorized under federal or state law or if the employee serves in an occupation designated as a high-risk or safety-sensitive occupation pursuant to regulations adopted by the state commissioner of labor.
2. Drug testing shall be administered in accordance with the following requirements:
 - a. The employee shall be asked to sign a consent form prior to drug testing. An employee who refuses to sign the consent form may be required to submit to drug testing. Any employee refusing to submit to drug testing as required may risk being terminated.
 - b. No C.E.S. employee, representative, agent or designee may observe the employee in the process of producing the urine specimen.
 - c. The drug testing shall be conducted by a competent medical laboratory experienced in and capable of demonstrating quality assurance, chain of custody documentation, detailed reporting procedures, technical expertise and proficiency in urinalysis. Laboratory procedures must utilize a reliable methodology, including procedures to confirm any positive test result which procedures must meet the requirements of subdivisions (2) and (3) of Section 31-51u of the Connecticut General Statutes.
 - d. The employee shall be given a copy of any positive urinalysis drug test result.
 - e. The results of any urinalysis drug test shall be confidential and shall not be disclosed by C.E.S. or its employees to any person other than any C.E.S. employee to whom such disclosure is necessary.
 - f. Urinalysis drug test results, if maintained on C.E.S. premises, shall be maintained with other employee medical records and shall be subject to the privacy protections afforded by applicable federal and state laws.

E. Discovery of Controlled Drugs and Alcohol

1. Any employee who discovers controlled drugs or alcohol on C.E.S. premises shall notify the Executive Director and, where possible, shall deliver the material.
2. The Executive Director shall investigate the matter.
3. If the material is found to be or is suspected of being a controlled drug, the Executive Director shall notify law enforcement officials and turn over the material to them.