

DRUG-FREE WORKPLACE REQUIREMENTS

The District prohibits the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance, illicit drug, inhalants, and alcohol, in the workplace. 41 U.S.C. 702(a)(1)(A); 28 TAC 169.2

The District shall establish a drug-free awareness program to inform employees about the dangers of drug abuse in the workplace, the District's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance abuse programs, and the penalties that may be imposed upon employees for drug abuse violations. 41 U.S.C. 702(a)(1)(B); 28 TAC 169.2

Employees who violate this prohibition shall be subject to disciplinary sanctions. Such sanctions may include referral to drug and alcohol counseling or rehabilitation programs or employee assistance programs, termination from employment with the District, and referral to appropriate law enforcement officials for prosecution. [See policies at DH and DHE] 41 U.S.C. 702(a)(1)(A); 28 TAC 169.2

Compliance with these requirements and prohibitions is mandatory and is a condition of employment. As a further condition of employment, an employee shall notify the Superintendent of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction. Within ten days of receiving such notice from the employee or any other source, the District shall notify the granting agency of the conviction. 41 U.S.C. 702(a)(1)(D),(E)

Within 30 calendar days of receiving notice from an employee of a conviction for any drug statute violation occurring in the workplace, the District shall either (1) take appropriate personnel action against the employee, up to and including termination of employment or (2) require the employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health agency, law enforcement agency, or other appropriate agency. 41 U.S.C. 702(a)(1)(B), 703

(This notice complies with notice requirements imposed by the federal Drug-Free Workplace Act [41 U.S.C. 702]; and notice requirements imposed by the Texas Workers- Compensation Commission Rules at 28 TAC 169.2).