

DRUG-FREE WORKPLACE

- I. The purpose of this policy is to comply with the federal Drug-Free Workplace Act of 1988 and Arkansas Executive Order 89-2. This policy applies to all Divisions and Offices within the Department of Human Services (DHS). As a condition of employment on any federal government contract, the law requires all employees to abide by this policy.

- II. Drug Abuse and use at the workplace are subjects of immediate concern in our society. These problems are extremely complex and ones for which there are no easy solutions. From a safety perspective, the users of drugs may impair the well-being of all employees, the public at large, and result in damage to state property. Therefore, it is the policy of DHS that the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance in a state agency's workplace is prohibited. Any employees violating this policy will be subject to discipline up to and including termination. DHS may require the employee to successfully finish a drug treatment program sponsored by an approved private or governmental institution (DHS 1087).
 - (A) A controlled substance is any drug listed in 21 U.S. Code, Section 812. Generally, these are drugs that have a high potential for abuse. They also include "legal" drugs that are not prescribed by a licensed physician.
 - (B) Each employee is required by law to inform the agency within five days after he or she is convicted for violation of any federal or state criminal drug statute where such violation occurred on the agency's premises. This does not contradict the reporting requirements in DHS 1080. A conviction means a finding of guilt (including a plea of nolo contendere) or the imposition of a sentence by a judge or jury in any federal court, state court, or other court of competent jurisdiction.
 - (C) DHS must notify the U.S. government granting agency within ten days after receiving notice from the employee or otherwise receives actual notice of such a conviction.