

San Diego Community College District



Procedure

4115.1

October 14, 1998

CONTROLLED SUBSTANCE ABUSE IN THE WORKPLACE

PURPOSE AND SCOPE

The San Diego Community College District, under the direction of the office of Personnel and Administrative Services, intends to make every effort to provide and maintain a drug-free work place. It is the District's policy, pursuant to the Drug-Free Workplace Act of 1988 (Public Law 100-690, Title V, Subsection) to prohibit the unlawful manufacture, distribution, dispensing, possession, or use of controlled substances at all District worksites and/or while in the performance of District business.

District employees found to be in violation of this Policy will be subject to corrective action, up to and including dismissal, under applicable District Policies, Procedures, and labor agreements; or may be required, at the discretion of the District, to participate to the District's satisfaction, in a drug/controlled substance abuse rehabilitation program.

Special Directives to District Employees under Drug-Free Work Place Act:

The Drug-Free Work Place Policy requires that District employees shall abide by this procedure as a condition of employment and shall notify the District within five (5) days if they are convicted of any criminal drug statute (including pleas of Nolo Contendere) for a violation occurring in the work place and/or while on District business. Within ten (10) days of receiving notice of such conviction, the District is required to notify any Federal contracting or granting agency from whom funding related to the convicted employee's position or program is received.

The District recognizes drug dependency, like alcohol dependency, as a treatable condition and any employee in the District service has available, with the District's support and approval, a County-supported Employee Assistance Program or a District Employees Assistance Program. Employees assistance means confidential help with personal or job-related problems. The District encourages employees with controlled-dependency problems, whatever the basis, to seek assistance from these rehabilitation programs.

PROCEDURE

1. Each employee shall be notified in writing of the District's [Policy 4115](#) and services available to them through the District's employee benefit program. This notification shall be provided to all new hires on or before their first day of employment with the District. Personnel and Administrative Services shall make copies of the notification available to all sites for distribution to temporary staff and shall distribute the notification to all permanent staff.

2. A statement summarizing [Policy 4115](#) shall be included on the District's employment announcements. If under [Policy 4260](#) - Health Evaluation and Medical Examinations, drug testing is required prior to employment, such requirement shall be included on the employment announcement. Applicants on existing eligibility lists for positions requiring testing will be notified of this additional requirement.
3. Periodic in-service shall be made available to all employees to inform them of the dangers of drug or alcohol abuse, services available through the District's employee benefit plans for drug and alcohol-related treatment, penalties which may be imposed as a result of drug abuse and/or violations occurring in the workplace.
4. Supervisors and Managers will administer this policy consistent with policies and/or provisions of negotiated agreements with collective bargaining representatives which deal with the discipline for impaired performance and procedures to assess fitness for work.
5. Upon receipt of notification of any criminal drug-related conviction for violation which has occurred in the workplace or while on District business, the Personnel and Administrative Services Department shall within ten (10) days notify any Federal contracting or granting agency from whom funding related to the convicted employees position or program is received.
6. Within thirty (30) days of receipt of notice in paragraph 5 above, the District shall, under the appropriated policies, handbook, or collective bargaining agreement, initiate one of the following actions:
 - a. Take appropriate personnel action against such an employee, up to and including termination; or
 - b. Require such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by the District.