

## EMPLOYEE ALCOHOL AND DRUG TESTING

### **Reasonable Suspicion Testing**

All employees shall be required to undergo alcohol and drug testing at any time the Evansville Community School District has reasonable suspicion to believe that the employee has violated the District's policy concerning alcohol or drugs. Such alcohol or drug testing may be conducted when there is reasonable suspicion to believe that the employee has used or is using drugs or alcohol prior to reporting for duty, or while on duty, or prior to or while attending any District function on or off District property. The District's determination that reasonable cause exists must be based on specific, contemporaneous, accurate observations concerning the appearance, behavior, speech or body odors of the employee.

Reasonable suspicion shall not include an employee's lawful use of lawful products, where such use has no reasonable connection or nexus to the employee's work-related responsibilities or obligations under District policy.

### **Consequence for Violation**

Employees who violate the District's policies or rules regarding alcohol, or drug use and employees who refuse to consent to testing shall be subject to disciplinary sanctions. Such sanctions may include referral to drug and alcohol counseling or rehabilitation programs or employee assistance programs, discipline or discharge from employment with the District, and referral to appropriate law enforcement officials for prosecution.

- No employee who drives or operates a district vehicle shall consume an illegal drug, be under the influence of an illegal drug, or have any detected presence of an illegal drug, while on duty, or operating or in physical control of a school vehicle, or while performing any safety-sensitive function.
- No employee who drives or operates a district vehicle shall consume an intoxicating beverage, regardless of alcoholic content, be under the influence of an intoxicating beverage, or have any measured alcohol concentration or any detected presence of alcohol, while on duty, within four hours before going on duty or operating or in physical control of a school vehicle, or while performing any safety-sensitive function.
- No employee who drives or operates a district vehicle shall be on duty, or operate or be in physical control of a school vehicle, or perform any safety-sensitive function while in possession of an intoxicating beverage (including medications which contain alcohol) regardless of its alcoholic content.

Accordingly, all such employees are subject to, reasonable suspicion, random, post-accident, return-to-duty and follow-up testing. Any employee who violates the District's policies or rules regarding alcohol or drug use and employees who refuse to consent to testing shall be subject to disciplinary sanctions. Such sanctions may include referral to drug and alcohol counseling or rehabilitation programs or employee assistance programs, discipline or discharge from employment with the District, and referral to appropriate law enforcement officials for prosecution.

Legal Ref.: Section 111.35 Wisconsin Statutes (Use or Nonuse of Lawful Products)  
Drug-Free Workplace Act of 1988. 41 U.S.C. Ch. 10

Local Ref.: Policy #522.1 – Alcohol and Drug-Free Workplace  
Policy #523.3 – Employee Assistance Program