

DRUG-FREE WORKPLACE

In order to protect the health, welfare and safety of students and employees, all employees of the Evansville Community School District are prohibited from:

1. Using, possessing, selling, distributing or being under the influence of alcohol at any time while on school premises or at any other place while performing their duties as school district employees; and
2. Using, possessing, manufacturing, selling, distributing or being under the influence of other controlled substances at any time and in any location. This policy does not apply when prescription medications are used by the individual for whom they were prescribed, and in the manner and amount prescribed.

Witnessed "standard fitness for duty criteria" such as: smelling of alcohol, red eyes, slurred speech, lack of coordination, serious mood swings, erratic behavior, over-use of sick leave or other absences shall constitute reasonable suspicion of being under the influence of alcohol or other drugs. In addition, employees engaged in the performance of a grant received directly from the federal government shall notify the District Administrator of any criminal drug statute conviction occurring in the work place within five days of such conviction. The District Administrator shall notify the appropriate federal agency of the conviction within ten days of receiving notice of the conviction.

All employees shall comply with this policy. At no time may this policy be used to harass employees. All fitness for duty criteria is to be documented and brought to the attention of the employee.

In the case of an employee suspected of alcohol or drug use, supervisors may require an alcohol or drug screen to be administered immediately following suspected violation. The immediate supervisor shall arrange for appropriate transportation of the employee to the testing site. Refusal to submit to the test shall be considered insubordination, and will result in disciplinary action up to and including termination. In addition, refusal to take the test shall be the basis for an inference that the employee is under the influence of drugs or alcohol, in violation of the policy. Employees suspected of being in violation of this policy may also request an alcohol or drug screen to be administered immediately following suspected violation. The first testing cost shall be reimbursed by the District. Any re-testing costs will be the responsibility of the employee.

Employees who are found to have violated this policy will be subject to the following discipline: immediate dismissal, suspension without pay, or suspension with pay, at the discretion of the District Administrator. Discipline under this policy shall be subject to any applicable collective bargaining provisions.

After required procedures have been administered, or after an employee refuses to be tested, the immediate supervisor should safely send the employee home. If needed, a plan for improvement will be developed. The employee will also be reminded of access to the Employee Assistance Program.

Actions by employees which are considered to be unlawful shall be reported to the appropriate law enforcement agency who will conduct an investigation. The District will also meet with the employee to gather additional information and determine employment consequences. Information obtained from this conference will not be turned over to law enforcement unless by order of the court. No part of this policy or its implementing procedures shall be limited by any legal action taken by other authorities.

The following shall be communicated to employees:

1. A copy of this policy, and the requirement to report workplace convictions.
2. Information about drug and alcohol counseling and rehabilitation and available re-entry programs.
3. The dangers of drug and alcohol abuse in the work place.
4. The penalties that may be imposed upon employees for drug and alcohol abuse violations occurring in the work place.

Legal Ref.: 125.09(2) Wisconsin Statutes
Chapter 961
Drug Free Workplace Act of 1988
34 CFR Part 85, Subpart F (Regulations Implementing Drug Free Workplace Act)

Local Ref.: Evansville Education Association (EEA) Master Agreement
Evansville Education Association Auxiliary (EEAA) Master Agreement
Custodian Master Agreement
Food Service Master Agreement