

E 4020-E DRUG AND ALCOHOL-FREE WORKPLACE - NOTICE TO EMPLOYEES

Note: Although the passage [AS 17.38](#) authorizes the use of marijuana under certain conditions, it explicitly recognizes the authority of employers to prohibit the use, consumption, possession, transfer, display, transportation, sale, or growing of marijuana in the workplace. Additionally, [AS 17.38](#) does not prevent employers from establishing policies that restrict the use of marijuana by employees. [AS 17.38.120\(a\)](#). Further, as a recipient of federal funds, the district is obligated to maintain a drug-free workplace consistent with federal law, which prohibits the manufacture, sale, distribution, or possession of marijuana. For purposes of the district's policy and legal obligation, marijuana is prohibited.

YOU ARE HEREBY NOTIFIED that it is a violation of Board policy for any employee at a school district workplace to unlawfully manufacture, distribute, dispense, possess, use or be under the influence of any alcoholic beverage, marijuana, drug or controlled substance as defined in the Controlled Substances Act and Code of Federal Regulations.

"School district workplace" is defined as any place where school district work is performed, including a school building or other school premises; any school-owned or school-approved vehicle used to transport students or employees to and from school or school activities; any off-school sites when accommodating a school-sponsored or school-approved activity or function, such as a field trip or athletic event, where students are under district jurisdiction; or during any period of time when an employee is supervising students on behalf of the district or otherwise engaged in district business.

As a condition of your continued employment with the district, you will comply with the district's policy on Drug and Alcohol-Free Workplace and will, any time you are convicted of any criminal drug or alcohol statute violation occurring in the workplace, notify your supervisor of this conviction no later than five days after such conviction.

Note: Upon notification of a violation, the district must either (1) take appropriate personnel action against the employee, "up to and including termination," or (2) require the employee to satisfactorily participate in an abuse assistance or rehabilitation program.

Note: The names, addresses and telephone numbers of drug and alcohol counseling and rehabilitation programs and/or employee assistance programs available locally to employees may be included in this notice or provided to employees in a separate statement. In addition, information about the dangers of drug and alcohol abuse may be included in this notice or the district may distribute materials obtained from state, local or national anti-abuse organizations to its employees.

Revised 3/2015
ADOPTED: 4/13/05
REVISED: 08/2015

Administration Notes from Policy Committee:

BP 4020 was discussed in reference to pre-employment processes and procedures within the district. Mr. Russin shared the current practice that all potential employees be drug tested prior to starting work. At present, this is practice, not policy, that has been in place for some time. Mr. Russin also noted that this is not a requirement from our insurance company, APEI; he also shared the expense of reimbursing individuals for this since it is the district's condition for employment. Conversation led to reviewing BP 4020 and several considerations to be added to the Exhibit:

- a. a statement indicating that as a condition of employment, employees are subject to [random] drug/alcohol testing based on reasonable suspicion; and*
- b. a signature line to be included and the form kept in the employee's personnel file indicating they have received and understood/agreed to the Drug and Alcohol-Free Workplace notification*

I (Alex) am seeking the Board's thoughts during discussion on the suggested recommendations from the Committee before bringing this back to full board for approval.