

Policy 5100: Drug, Alcohol, and Tobacco Free Workplace

Original Date:

Status:

PURPOSE

The purpose of this policy is to set forth the parameters for a drug, alcohol, and tobacco free workplace.

DEFINITIONS

The definitions applicable in this section shall include, but are not limited to the following:

- Controlled Substance - any substance defined in Schedules I through V of Section 202 of the Controlled Substances Act (21 U.S.C. 812) and 21 C.F.R. §1300.11 through 1300.15.
- Dangerous drug - any substance as defined in A.R.S. § 13-3401(6).
- Narcotic drug - any substance as defined in A.R.S. § 13-3401(20).
- Precursor chemical - any substance as defined in A.R.S. § 13-3401(26) and (27).
- Alcohol - beer, wine, or any distilled spirits as defined in A.R.S. § 4-101.
- Workplace - the site for the performance of District work, including, but not limited to:
 - Any school building or property, whether leased or owned;
 - Any District vehicle, whether leased or owned;
 - Any District-approved vehicle used to transport students to and from school or school activities; and
 - Off District property during any District-approved activity, event, or function.

DRUG AND ALCOHOL PROHIBITIONS

Employees shall not manufacture, distribute, dispense, be under the influence of, purchase, possess, use, or attempt to purchase or obtain, sell, or transfer any controlled substance, dangerous drug, narcotic drug, precursor chemical, or alcohol in the workplace.

Employees shall not purchase, transfer, or sell in the workplace any drug and/or controlled substances.

Employees shall not be under the influence of a prescription medication, including medical marijuana (including a cardholder as defined in A.R.S. § 36-2801), even when used in accordance with the prescription if use of the medication presents a safety concern in the workplace.

EXCEPTIONS

This Policy does not prohibit the following:

1. Possessing alcohol in an unopened container in a locked, personal motor vehicle provided the container cannot be viewed from outside the vehicle.
2. The possession or use of prescribed medications by the individual for whom the prescription was written when done in accordance with the prescription, and when the use of the medication does not interfere with the safe performance of the employee's job. An employee who is taking prescribed medications is responsible for consulting with the prescribing health care provider and/or pharmacist to ascertain whether the medication may interfere with the safe performance of the employee's job.

REPORTING

As required by the Drug-Free Workplace Act, an employee, as a condition of employment, shall notify his or her supervisor of a conviction under any criminal drug statute occurring in the workplace. Such notification shall be provided no later than five (5) calendar days after such conviction.

TOBACCO PROHIBITIONS

Employees shall not possess or use tobacco products, including, but not limited to cigars, cigarettes, chewing tobacco, e-cigarettes, or other nicotine products or any "vaping" device on or in any workplace as defined previously (A.A.C. R9-2-104, A.R.S. §36-601).

Use of tobacco or nicotine products in an employee's personal vehicle while on school property or at any school-sponsored event is prohibited.

EXCEPTION

Notwithstanding the above, possessing otherwise lawful tobacco or nicotine products or a vaping device in the employee's own personal locked motor vehicle is not prohibited provided the product or device cannot be seen from outside the vehicle.

