

ACCIDENTS

It is the responsibility of all employees to maintain a safe working environment. Safety concerns should be reported to the immediate supervisor so that corrective action can be taken.

In the event of an accident, it is the employee's responsibility to report the injury sustained during the performance of job duties to the immediate supervisor as soon as possible. The supervisor is required to file a written account of the accident within five working days from the date of the accident.

DRUG-FREE WORK FORCE

The Board of Education is concerned with the well-being of all employees of the school system. The Board recognizes that a drug-free workplace encourages employee productivity and promotes the accomplishment of the Board's missions and goals. In accordance with Georgia's Drug-Free Public Work Force Act of 1990, the Board of Education hereby declares that the unlawful manufacture, distribution, sale and possession of controlled substances or other dangerous drugs are prohibited for all school system employees. In addition, no employee shall possess, consume or be under the influence of any intoxicating beverages while on school property and/or in performance of official duties as an employee of the Columbia County School System.

For purposes of this policy, the following definitions shall apply:

- (1) "Controlled substance" means any drug, substance, or immediate precursor included in the definition of the term "controlled substance" in paragraph (4) of Code Section 16-13-21;
- (2) "Convicted" or "conviction" refers to a final conviction in a court of competent jurisdiction, the acceptance of a plea of guilty, or the plea of nolo contendere;
- (3) "Dangerous drug" means any drug or substance defined as such under Code Section 16-13-71;
- (4) "Marijuana" means any substance described in paragraph (16) of Code Section 16-13-21;

(See next page)

Page 2 - GBR - WORKING CONDITIONS

- (5) "Public employee" means any person employed on full-time, part-time, temporary or intermittent basis and shall also include all officials, or administrators of any school system;
- (6) "Public employer" means any public school system that receives any funds from the State of Georgia; agency thereof;
- (7) "Public employment" means employment by any public employer.

Each employee shall be given a copy of this policy. As a condition of employment, employees will abide by the terms of this policy and shall notify the Columbia County Board of Education of any criminal drug statute conviction or a plea of nolo contendere not later than five days after such conviction. Anyone violating the reporting requirement of this policy shall be deemed to have committed an act of insubordination and be subject to the appropriate personnel action. The Columbia County Board of Education shall notify the appropriate state or federal agencies within 10 days after receiving notice of the conviction from the employee or otherwise after receiving the actual notice of such conviction.

Within 30 days of notification by the employee or otherwise receiving actual notice of such conviction, the local board shall respond in the following manner:

- A. Any public employee who is convicted for the first time, under the laws of this state, the United States, or any other state, of any criminal offense involving the manufacture, distribution, sale or possession of a controlled substance, marijuana, or a dangerous drug shall be suspended from his or her public employment for a period of not less than two months. Any such employee shall be required as a condition of completion of suspension to complete a drug abuse treatment and education program licensed under Chapter 5 of Title 26 and approved by the Board of Education.

Any person with one previous drug-related conviction is ineligible for any public employment for a period of three months from the date of conviction.

- B. Any public employee who is convicted for a second or subsequent time, under the laws of this state, the United States, or any other state, of any criminal offense involving the manufacture, distribution, sale, or possession of controlled substance, marijuana, or a dangerous drug shall be terminated from public employment for a period of five years from the most recent date of conviction.

(See next page)

Any person with a second or subsequent previous drug related conviction is ineligible for any public employment for a period of five years from the most recent date of conviction.

- C. Any public employee who violates the terms of this policy dealing with the possession, consumption, or being under the influence of any intoxicating beverages shall be dealt with on the basis of the position of the employee, the past record of the employee, the nature of the offense, and the willingness of the employee to correct his abuse.

The suspension, expulsion, and ineligibility sanctions prescribed in this chapter, O.C.G.A. 45-23-1 et seq., are intended as minimum sanctions, and nothing in this chapter shall be construed to prohibit the Board from establishing and implementing additional or more stringent sanctions for criminal offenses and other conduct involving the unlawful manufacture, distribution, sale, or possession of a controlled substance, marijuana, or a dangerous drug.

On and after July 1, 1990, if, prior to an arrest for an offense involving a controlled substance, marijuana, or a dangerous drug, an employee notifies the Board of Education or designee that the employee illegally uses a controlled substance, marijuana, or a dangerous drug and is receiving or agrees to receive treatment under a drug abuse treatment and education program licensed under Chapter 5 of Title 26 and approved by the Board of Education, the employee shall be entitled to maintain the employee's employment for up to one year as long as the employee follows the treatment plan. During this period, the employee shall not be separated from employment solely on the basis of the employee's drug dependence, but the employee's work activities may be restructured if practicable to protect persons or property. No statement by an employee to a supervisor of the employee or other person in order to comply with this Code section shall be admissible in any civil, administrative, or criminal proceeding as evidence against the public employee. The rights granted by this Code section shall be available to an employee only once during a five-year period and shall not apply to any employee who has refused to be tested or who has tested positive for a controlled substance, marijuana, or a dangerous drug.

An employee who has signed a fourth year contract with the school system, as defined under O.C.G.A. 20-2-942, shall be offered a hearing as provided for under the Fair Dismissal Act 20-2-940 et seq.

The Superintendent of Schools shall develop a drug-free awareness program to inform employees of the following:

- The dangers of drug abuse in the workplace.

(See next page)

Page 4 - GBR - WORKING CONDITIONS

- State Board of Education rule (Staff Rights and Responsibilities: Drug-Free Workplace) and any accompanying administrative procedures concerning the maintenance of a drug-free workplace.
- Any available drug counseling, rehabilitation and employee assistance programs.
- Any penalties to be imposed upon employees for drug abuse violations occurring in the workplace.

Entities contracting with the Board of Education shall, as a condition of the contract, assure a drug-free workplace as required under the U.S. Drug-Free Workplace Act of 1988. For contracts, a drug-free workplace means a geographic location at which individuals are directly engaged in the performance of work pursuant to a contract with the Board of Education.

DUI AND OTHER MOVING VIOLATIONS

The Columbia County Board of Education recognizes safety in driving is the ultimate goal for all employees, whether professional or auxiliary, who drive Columbia County School District vehicles. Such employees are deemed to hold safety sensitive positions.

In order to ensure the public, students and other employees of acceptable safe driving practices and standards for all concerned, employees who are cited for driving under the influence of alcohol or drugs (DUI) or other moving traffic violations, including both work related and private infractions, shall be subject to appropriate disciplinary action which could include but not be limited to termination.

DRUG AND ALCOHOL TESTING

The Columbia County Board of Education requires drug and alcohol testing of all employees who drive school system vehicles.

In addition, employees who hold commercial drivers licenses will be required to submit to testing as stipulated under the Omnibus Transportation Employee Testing Act (O.T.E.T.) and Georgia Codes 20-2-1120, 20-2-188 and 20-2-1121.

Times include but are not limited to: pre-employment; annual physical examination; employee involved in traffic accident or violations while operating system vehicles and random selection.

In addition, where complaints are filed or reasonable cause or suspicion exists employees may be tested.

(See next page)

Page 5 - GBR - WORKING CONDITIONS

Testing shall be at the expense of the Board of Education. Any measurable level of alcohol or any prohibited drugs in the blood, breath, or urine while in the course of employment with the Columbia County School System or refusal to submit to testing may be grounds for immediate termination.

Any violation of this policy shall be brought to the attention of the Board as a personnel matter at the next regular meeting.

SCREENING FOR REASONABLE CAUSE OR SUSPICION OF ALCOHOL/DRUG USE

In an effort to assure a drug and alcohol-free workforce, the Columbia County Board of Education reserves the right to require an alcohol and/or drug screening for any employee due to reasonable cause or suspicion. The Superintendent of Schools, **the Deputy Superintendent**, the Associate Superintendent or their designees shall be authorized to investigate the circumstances reported by any supervisor regarding the reasonable cause or suspicion of alcohol or drug use by an employee. Based upon circumstances of the situation, the Superintendent of Schools shall be authorized to require the employee to submit to an alcohol and/or drug screening. Refusal to submit to the alcohol and/or drug screening by the employee may constitute grounds for termination. Upon receipt of the results of the alcohol and/or drug screening, the Superintendent of Schools shall make a decision regarding the employment status of the employee.

DUTY TO REPORT

All employees of the Columbia County Board of Education have a duty to report DUI and drug offense convictions as defined in accordance with Georgia's Drug-Free Public Workforce Act of 1990 (O.C.G.A. 45-23-1, et seq.) The employment sanctions prescribed in this chapter are intended as minimum sanctions, and nothing in this chapter shall be construed to prohibit the Board from establishing and implementing additional or more stringent sanctions for criminal offenses and other conduct involving the unlawful manufacture, distribution, sale, or possession of a controlled substance, marijuana, or a dangerous drug. Each employee of the Board of Education also has the responsibility to report the use of any prescription drug which may alter the employee's capability to function in the regular employment position. In situations where the legitimate use of such prescription medication would cause the employee to put him/herself or any other person in danger, the Columbia County Board of Education reserves the right to make a decision for eligibility of leave and/or other sanctions guaranteed within employment rights.

PROCEDURE: YES

ADOPTED: 03/08/94

REVISED: 02/24/98, 8/10/99

Columbia County Board of Education