

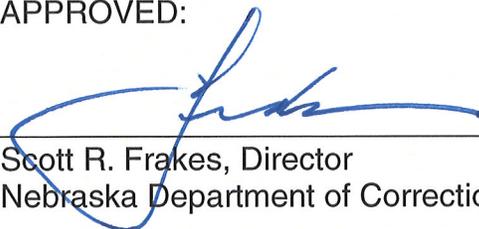
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		DRUG FREE WORKPLACE POLICY	

EFFECTIVE: August 15, 1989
 REVIEWED: October 21, 2003
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 REVIEWED: December 5, 2014
 REVIEWED: September 30, 2015
 REVIEWED: September 30, 2016

SUMMARY of REVISION/REVIEW

Annual review with no revisions to policy.
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APPROVED:



Scott R. Frakes, Director
 Nebraska Department of Correctional Services

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PURPOSE

It is unlawful to illegally manufacture, distribute, dispense, possess or use a controlled substance in the workplace. The Nebraska Department of Correctional Services (NDCS), therefore, establishes a drug free workplace policy for its employees.

GENERAL

Drug abuse and use at the workplace are subjects of immediate concern in our society. These problems are extremely complex and ones for which there are no easy solutions. From a safety perspective, the use of drugs may impair the wellbeing of all employees and the public at large, and may result in damage to State property. Therefore, it is the policy of NDCS that the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance in NDCS workplace is prohibited in accordance with the State of Nebraska Drug Free Workplace Policy (Attachment A). Any employees violating this policy will be subject to discipline up to and including termination and referral to a law enforcement agency, unless possession falls within the scope of official duties.

PROCEDURE

- I. All employees and each new hire will receive a copy of this policy.
- II. All employees will be required to initial, sign and date a form acknowledging their receipt and understanding of the Drug Free Workplace Policy. This action is accomplished on day one of new hire orientation. When the employee initials, signs and dates the Receipt of NDCS Rules and Regulations (Administrative Regulation (AR) 112.31, *Code of Ethics and Conduct*), certifies that he/she:
 - A. Understands and will abide by the Drug Free Workplace Policy;
 - B. Has knowledge of disciplinary actions that may be imposed for violations of the Drug Free Workplace Policy.

The initialed, signed and dated NDCS Receipt of NDCS Rules and Regulations form will be permanently maintained in the employee's personnel file.

- III. Employees will receive training on the drug-free workplace policy during pre-service training.

This training shall include:

- A. A definition of drug abuse;
- B. Information on specific drugs and the effects of drug abuse;
- C. Dangers of drug abuse in the workplace;
- D. Availability of counseling and treatment services; and
- E. Disciplinary actions which may be imposed on employees for violations of this policy.

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- IV. If an employee is convicted of violating any criminal drug statute while on the workplace, he or she will be subject to discipline up to and including termination. Additionally, NDCS may require the employee to successfully finish a drug abuse program sponsored by an approved private or governmental institution.
- V. Each employee is required to inform the Director or the Director's Office within 48 hours of arrest and within five days of conviction for violation of any federal or state criminal drug statute where such violation occurred on the workplace. A conviction means a finding of guilt (including a plea of nolo contendere) or the imposition of a sentence by a judge or jury in any federal or state court.
- VI. If the Department is a recipient of federal funds, the Department must notify the U.S. Government granting/contracting agency with which the grant/contract was made within 10 days after receiving notice from the employee or otherwise receives actual notice of such a conviction.
- VII. Any contractor/vendor doing ongoing business with or providing a single purchase in excess of \$500 to NDCS, must have on file with the NDCS Purchasing Department, a written drug free workplace policy.
- VIII. The possession or use of illicit drugs, at any time, whether in the workplace or in the community at large is in the direct conflict with the Mission of NDCS. Employees must be aware of the other regulations and policies which speak to the possession and use of illicit drugs outside of the workplace. See AR 112.31, *Code of Ethics and Conduct*, and the Employee Handbook.

REFERENCE

- I. Department of Correctional Services Employee Handbook (DCS-A-per-019, latest edition)
- II. AR 12.31, *Code of Ethics and Conduct*
AR 112.40, *Employee Drug Testing Program*
- III. ATTACHMENTS
 - A. State of Nebraska Drug Free Workplace Policy, 6/05
- IV. ACA STANDARDS
 - A. Adult Correctional Institutions Adult Correctional Institutions (fourth edition) 4-4063
 - B. Adult Community Residential Services (fourth edition): 4-ACRS-7C-02
 - C. Adult Probation and Parole Field Services (third edition): 3-3047.