

1 **Yaak School District #24**

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3 **PERSONNEL**

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5 Drug-Free Workplace

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7 All District workplaces are drug and alcohol free. All employees are prohibited from:

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9 • Unlawfully manufacturing, dispensing, distributing, possessing, using, or being under the  
10 influence of a controlled substance while on District premises or while performing work  
11 for the District, including employees possessing a “medical marijuana” card.  
12 • Distributing, consuming, using, possessing, or being under the influence of alcohol while  
13 on District premises or while performing work for the District.  
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15 For purposes of this policy, a controlled substance is one that is:

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17 • Not legally obtainable;  
18 • Being used in a manner other than as prescribed;  
19 • Legally obtainable but has not been legally obtained; or  
20 • Referenced in federal or state controlled-substance acts.  
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22 As a condition of employment, each employee will:

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24 • Abide by the terms of the District policy respecting a drug- and alcohol-free workplace;  
25 and  
26 • Notify his or her supervisor of his or her conviction under any criminal drug statute, for a  
27 violation occurring on District premises or while performing work for the District, no  
28 later than five (5) days after such conviction.  
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30 In order to make employees aware of dangers of drug and alcohol abuse, the District will  
31 endeavor to:

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33 • Provide each employee with a copy of the District drug- and alcohol-free workplace  
34 policy;  
35 • Post notice of the District drug- and alcohol-free workplace policy in a place where other  
36 information for employees is posted;  
37 • Enlist the aid of community and state agencies with drug and alcohol informational and  
38 rehabilitation programs, to provide information to District employees; and  
39 • Inform employees of available drug and alcohol counseling, rehabilitation, reentry, and  
40 any employee-assistance programs.  
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1<sup>st</sup> reading 10/16/12

2<sup>nd</sup> reading 11/14/12

5/2016 made recommended charge from MTSBA model policy

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6 District Action Upon Violation of Policy  
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8 An employee who violates this policy may be subject to disciplinary action, including  
9 termination. Alternatively, the Board may require an employee to successfully complete an  
10 appropriate drug- or alcohol-abuse, employee-assistance rehabilitation program.  
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12 The Board will take disciplinary action with respect to an employee convicted of a drug offense  
13 in the workplace, within thirty (30) days of receiving notice of a conviction.  
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15 Should District employees be engaged in the performance of work under a federal contract or  
16 grant, or under a state contract or grant, the District Clerk will notify the appropriate state or  
17 federal agency from which the District receives contract or grant moneys of an employee's  
18 conviction, within ten (10) days after receiving notice of the conviction.  
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22 Legal Reference: 41 USC 702, 703, 706 Drug-free workplace requirements for  
23 Federal grant recipients  
24 *Johnson v. Columbia Falls Aluminum Company LLC*, 2009 MT 108N.  
25 § 50-46-205(20)(b), MCA Limitations of Medical Marijuana Act  
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27 Policy History:

28 Adopted on: 11/14/12

29 Reviewed on: 5/18/2016

30 Revised on:

1<sup>st</sup> reading 10/16/12

2<sup>nd</sup> reading 11/14/12

5/2016 made recommended change from MTSBA model policy