

SUBSTANCE-FREE WORKPLACE REGULATION

Code No. 403.5R1

A superintendent who suspects an employee has a substance abuse problem shall follow these procedures:

1. Identification - the superintendent shall document the evidence the superintendent has which leads the superintendent to conclude the employee has violated the Substance-Free Workplace policy. After the superintendent has determined there has been a violation of the Substance-Free Workplace policy, the superintendent shall discuss the problem with the employee.
2. Discipline - if, after the discussion with the employee, the superintendent determines there has been a violation of the Substance-Free Workplace policy, the superintendent may recommend discipline up to and including termination and/or may recommend the employee seek substance abuse treatment. Participation in a substance abuse treatment program is voluntary.
3. Failure to Participate in Referral - if the employee refuses to participate in a required substance abuse treatment program or if the employee does not successfully complete a required substance abuse treatment program, the employee may be subject to discipline up to and including termination.
4. Conviction - if an employee is convicted of a criminal drug offense committed in the workplace, the employee must notify the employer of the conviction within five (5) days of the conviction.

Legal Reference: Iowa Code § 123.46; § 124; § 279.8
41 U.S.C. §§ 81; 42 U.S.C. § 12101

Cross Reference: 403.06 Drug and Alcohol Testing Program
403.06-E(1) Drug and Alcohol Testing Program - Notice to Employees
403.06-E(2) Drug and Alcohol Testing Program - Pre-Employment Testing Acknowledgment Form
403.06-E(3) Drug and Alcohol Testing Program - Written Consent to Share Information
404 Employee Conduct and Appearance
404-R(1) Employee Conduct and Appearance - Code of Professional Conduct and Ethics
Regulation
404-R(2) Employee Conduct and Appearance - Code of Rights and Responsibilities Regulation

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