



State of Oklahoma
Human Capital Management Division
Office of Management and Enterprise Services
Policies and Procedures
Drug-Free Workplace

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Approved: Lucinda Meltabarger	Approval Date: 09/01/2012

Reference

Drug-Free Workplace Act of 1988 / §40-551. Standards for Workplace Drug and Alcohol Testing Act. / Sections 551 through 563 "Standards for Workplace Drug and Alcohol Testing Act". Added by Laws 1993, c. 355, § 1, emerg. eff. June 10, 1993. Amended by Laws 2011, c. 180, § 1, eff. Nov. 1, 2011/ Merit Rule, Discipline 455:10-11-1. / Merit Rule, Employee Assistance Program 260:25-21-1.

Policy

The Office of Management and Enterprise Services (OMES) is a drug free workplace. All agency employees are prohibited from unlawfully manufacturing, distributing, dispensing, possessing or using a controlled substance in or on agency facilities, property, or workplaces. It is the policy of OMES that state employees who use or possess illegal drugs in the workplace will be subject to disciplinary action up to and including termination.

Definitions

"**Alcohol**" - Means any intoxicating beverage or liquor.

"**Controlled Substance**" - Means a controlled substance in Schedule I through V of Section 202 of the Controlled Substance Act (21 U.S.C. 812), and as further defined by regulations at 12 CFR 1300.11 through 1300.15. Controlled Substances include but are not limited to: marijuana, cocaine, opiates, phencyclidine (PCP), and amphetamines.

"Conviction" - Means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes.

"Workplace" - Means any and all properties owned or leased by the State including buildings, land and vehicles; and physical sites not owned or leased by the State where employees of the State oversee and/or administer programs on behalf of the State Government.

Implementation

The legal use of prescribed drugs is permitted on the job only if they do not impair an employee's ability to perform the essential functions of the job effectively and in a safe manner that does not endanger other individuals in the workplace.

Employees with drug or alcohol addiction, that have not resulted in and are not the immediate subject of disciplinary action, may request approval to take leave (paid or unpaid) to participate in a rehabilitation or treatment program.

Under the Drug-Free Workplace Act, an employee who performs work for a government contract or grant must notify OMES of any criminal conviction for any drug related activity occurring in the workplace. The report must be made within five (5) days of the conviction.

Employees with questions or concerns about substance/alcohol dependency or abuse are encouraged to use the resources of the Employee Assistance Program. They may also wish to discuss the matter with their supervisor, manager or Human Resources to receive assistance or referrals to the appropriate resources.

Violations of this policy may lead to disciplinary actions up to and including immediate termination of employment. Such violations may also have legal consequences.