



JEFFREY S. MOQUIN
CHIEF OF STAFF

Signatures on File

August 8, 2022

TO: All School Board Employees

FROM: Aston A. Henry, Director
Risk Management Department

VIA: Jeffrey S. Moquin
Chief of Staff

SUBJECT: DRUG-FREE WORKPLACE

Annually, the District provides information to all employees regarding School Board Policy 2400, Drug-Free Workplace. Pursuant to requirements of the Federal Drug-Free Workplace Act of 1988, Florida Statute 112.0455 (Drug-Free Workplace Act), and School Board Policy 2400, the unlawful manufacturing, distribution, dispensing, possession or use of a controlled substance, including alcohol, is prohibited at all Broward County Public School locations and school activities. Employees are also prohibited from reporting to work or being on duty while under the influence of alcohol and/or a controlled substance.

All employees are required to self-report in writing to Broward District's Special Investigative Unit within forty-eight (48) hours of any arrests, citations or charges involving the sale and/or possession of a controlled substance. (See School Board Policy 2405, Self-Reporting Rule-Arrests/Charges and Final Dispositions at <http://www.broward.k12.fl.us/sbbcpolicies/docs/P2405.000.pdf>.) Such notices shall not be considered an admission of guilt nor shall such notice be admissible for any purpose in any proceeding, civil or criminal, administrative or judicial. **All employees in violation of School Board Policy 2400 will be referred to the appropriate department for disciplinary action.**

Employees who are required by their job description to hold a Commercial Driver's License will be required to submit to drug and/or alcohol tests under the following conditions: pre-employment, random, post-accident, follow-up, return-to-duty and reasonable suspicion. The District includes a notice on vacancy announcements for those positions requiring drug and alcohol testing.

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All Department of Transportation (DOT) Return-to-Duty and Follow-up drug tests must be conducted under direct observation pursuant to DOT Rule 49 CFR 40.67(b). All drug and alcohol tests shall be conducted in accordance with DOT federal regulations.

If the use of prescription or non-prescription drugs results in a positive drug test, a Medical Review Officer from our District's Third-Party Administrator will interview the employee. Common drugs/medications such as **Tylenol with Codeine, Vicks Inhaler, and Hemp-based products**, may trigger positive drug test results.

Any employee who refuses to submit to testing or fails to report for a drug/alcohol test (considered a refusal to test) will be recommended for termination of employment. **All test results reported as a diluted specimen will require a re-test.** Records and test results will be maintained by the Risk Management Department pursuant to strict confidentiality regulations.

The District offers drug/alcohol counseling through our Employee Assistance Program. Any employee needing such assistance should call 754-322-9900. In addition, any employee who voluntarily self-reports alcohol/drug dependence not connected to a criminal arrest will be referred to our Employee Assistance Program.

Additional information is available on the District's Risk Management website:

<https://www.browardschools.com/Page/36614>

Please share this information with all employees and post in a common area for those that do not have daily access to a computer. **If you have any questions concerning this matter, please contact Julianne Gilmore, Employee Health Testing Specialist, Risk Management Department, at 754-321-1905 or via email at julianne.gilmore@browardschools.com.**

JSM/AAH:jg

c: School Board Members
Senior Leadership Team
Dildra Martin-Ogburn, Ph.D., Director, Benefits & Employment Services
Todd Sussman, Privacy Officer, Risk Management Department
Julianne Gilmore, Employee Health Testing Specialist, Risk Management Department