

## **EPIC Drug-Free Workplace Policy**

### Section 1.      General

- 1.1      Scope – This policy applies to all employees of Eastern Panhandle Instructional Cooperative, (EPIC)
- 1.2      Authority – Drug Free Workplace Act 1988 West Virginia Constitution Article XII, 2, West Virginia code 18-2-5 of the Drug-Free Workplace Policy 1461.
- 1.3      Effective Date – May 17, 2021

### Section 2.      Purpose

To provide for a Drug-Free Workplace for all persons employed by EPIC.

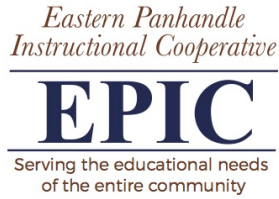
### Section 3.      Definition

- 3.1      Alcohol: Alcoholic beverages and any other intoxicating liquid, which contains alcohol.
- 3.2      Contractor: Any department, division, unit, or any person responsible for the performance work under a contract.
- 3.3      Controlled Substance: A federally regulated substance listed in the Controlled Substance Act (21 U.S.C. 812) and West Virginia Code 60A-2-201, et seq., (Which may be amended from time to time), when taken into the body, may impair one's mental faculties and/or physical performance.
- 3.4      Conviction: A finding of guilty (including a plea of nolo contendere) or the imposition of a sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State Criminal Drug Statutes.
- 3.5      Criminal Drug Statue: A criminal statue involving the manufacture, distribution, dispensation, use, or possession of any controlled substance.
- 3.6      Drug-Free Workplace: A worksite where work is performed in connection with the employee's EPIC employment. The workplace shall include facilities, property, buildings, offices, structures, automobiles, trucks, trailers, other vehicles, and parking areas, whether owned or leased by the agency or participating county boards of education.
- 3.7      Employee: Any person who works full-time, part-time, or under contract, including management or temporary staff who are directly engaged in the performance of work pursuant to the mission of EPIC.

- 3.8 Federal Agency: An agency as that term is defined in 18 U.S.C. 6.
- 3.9 Grantee: Any department, division, unit, or any person responsible for the performance of work under the provisions of a federal grant.
- 3.10 Illegal Drug: Any drug, which is not legally obtainable and/or is being used in a manner or for a purpose other than as prescribed.
- 3.11 Intoxicants: Any intoxicating substances such as inhalants.
- 3.12 Legal Drug: Prescribed drugs and over-the-counter drugs which have been legally obtained are being used solely for the purpose for which they were manufactured or as prescribe by a physician.
- 3.13 Look-Alike Drugs: Tablets or capsules that are made to look like real drugs and roughly imitate their effects. They usually contain varying amounts of legal substances such as caffeine, ephedrine, phenylpropanolamine or aspirin and other non-controlled ingredients.
- 3.14 Work Day: For purposes of this policy, the work day includes all times when an employee is engaged in any work-related activity which includes performance of business during a regularly scheduled work day, meal break and/or any occasion having a connection with any EPIC employee's duties and at all times the employee is on any premises of the workplace.

Section 4.      Content

- 4.1 It is the policy of EPIC to ensure that its workplaces are free of illegal drugs and controlled substances by prohibiting the unlawful manufacture, distribution, dispensation, possession or use, without medical authorization, of illegal or controlled substances and/or alcohol; the reporting to work under the influence of a non-medically prescribed controlled substance or alcohol; or possession of non-medically prescribed paraphernalia.
- 4.2 The policy is applicable while employees are engaged in any work-related activity, which includes performance of agency business during regularly scheduled workdays, meal breaks, and/or occasions having a connection with the job or the agency.
- 4.3a Employees who are in violation of the provisions of the Drug-Free Workplace Act shall be subject to disciplinary action up to and including termination and/or may be required to satisfactorily participate in a drug rehabilitation or assistance program. Resources shall be provided in accordance with the EPIC Employees Insurance Agency Guidelines
- 4.3b State or county agencies who are contractors or grantees of federal contracts or grants are subject to suspension of payments and termination of the contract or grant for violations of any of the requirements of a drug-free workplace if the number of drug-related convictions of employees indicates that the employer hasn't made a good faith effort to maintain a drug-free workplace.
- 4.4 As a condition of employment with EPIC, employees must:
  - 4.4.a Abide by the terms of this policy; compliance is mandatory.
  - 4.4.b Notify their supervisor or department head of any criminal drug statute conviction for a violation occurring in the workplace, no later than five (5) days after such conviction.
  - 4.4.c Sign the Drug-Free Workplace Verification Statement



## EPIC DRUG-FREE WORKPLACE VERIFICATION STATEMENT

With my signature, I certify that I have received a copy of the EPIC Drug-Free Workplace policy, and I have read and understand it.

As an employee of EPIC, I agree to comply with this Drug-Free Workplace Policy, which states that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance and/or alcohol is prohibited in the workplace. Additionally, I shall not report for work while under the influence of alcohol and /or any illegal drug.

The workplace shall be defined as a work site where work is performed in connection with the employee's EPIC employment. The workplace shall include but not be limited to facilities, property, buildings, offices, structures, automobiles, trucks, trailers, other vehicles, and parking areas, whether owned or leased by the agency or entity.

The policy is applicable while employees are engaged in any work-related activity, which includes performance of agency business during regularly scheduled workdays, meal breaks, and/or occasions having an official connection with the job or the agency.

In addition, I understand that, as a condition of employment, I shall notify my supervisor of any criminal drug or alcohol violation occurring in the workplace or any conviction outside of the workplace, no later than five days after such violation or conviction occurs.

If I have any questions at all about this policy, I understand it is my responsibility to contact my immediate supervisor, EPIC HR, or the EPIC Administrator so that I may get clarification.

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Employee Name (Printed)

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Employee Signature

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Date