DRUG-FREE WORKPLACE ACKNOWLEDGMENT

STATE OF NORTH DAKOTA
SFN 16769 (12-2011)

Employee Name

I, an employee of the state of North Dakota, hereby certify that I understand the state of North Dakota's requirements regarding the maintenance of a drug-free workplace. I understand that the unlawful manufacturing, distribution, dispensation, possession or use of a controlled substance is prohibited at my workplace. I understand that violating those prohibitions can subject me to discipline up to and including termination. I understand that as a condition of employment, I must abide by the requirements of the state in this regard and I will notify my supervisor of any criminal drug conviction for a violation occurring in the workplace no later than five (5) days after the conviction. I understand that federal law may require that the agency appointing authority communicate this conviction to an appropriate federal agency, and I hereby waive any and all claims that may arise for conveying this information to the federal agency.

Employee Signature	Date

PLEASE RETURN THIS FORM TO YOUR AGENCY HUMAN RESOURCE OFFICE

State of North Dakota Requirements for a Drug-Free Workplace

Drug abuse and use in the workplace are subjects of immediate concern in our society. These problems are extremely complex and there are no easy solutions. From a safety perspective, the users of drugs may impair the well-being of all employees, the public at large, and result in damage to State property. Public Law 100-690, the Anti-Drug Abuse Act, was enacted by the federal government in 1988. Title V, Subtitle D, the Drug-Free Workplace Act of 1988, is part of the overall act, which requires State agencies that receive federal grants to certify that they will maintain a drug-free workplace and publish and administer specific drug-free workplace policies and drug awareness programs. Therefore, it is the position of the state of North Dakota that the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance in the workplace is prohibited. Any employee violating these prohibitions will be subject to discipline up to and including termination.

1. The state of North Dakota does not differentiate between drug users and drug pushers or sellers. Any employee who unlawfully gives or who in any way transfers a controlled substance to another person or sells or manufactures or unlawfully uses a controlled substance while on the job, in the workplace, or at a site where the agencies‟ work is performed will be subject to discipline up to and including termination.

2. The term "controlled substance" means any drug listed in 21 U.S.C. 812 and other federal regulations. Generally, these are drugs which have a high potential for abuse and include, but are not limited to, heroin, marijuana, cocaine, PCP, and 'crack'. They also include "legal drugs‟ which are not prescribed by a licensed physician or other individual licensed in the state of North Dakota to prescribe drugs, and "legal drugs" that are being used by a person other than the one for whom the drug was prescribed or for a purpose other than the one for which the drug was prescribed.

3. Each employee is required to inform the agency appointing authority within five (5) days after the employee is convicted for violation of any federal or state criminal drug statute where such violation occurred in the workplace. A conviction means a finding of guilt, including a plea of guilty or of nolo contender, or the imposition of a sentence by a judge or jury in any federal or state court.

4. The agency appointing authority must notify the U.S. government agency by whom the grant was made within ten (10) days after receiving notice from the employee or otherwise receiving actual notice of a conviction described in subsection 3, when the violation occurred in the workplace.

5. If an employee is convicted of violating any criminal drug statute while in the workplace, the employee will be subject to discipline up to and including termination. Alternatively, the employee may be required to successfully complete an inpatient or outpatient drug abuse program sponsored by an approved private or governmental institution.

6. As a condition of further employment on any federal government grant, all employees are required to abide by these requirements.