



DRUG-FREE WORKPLACE ACKNOWLEDGMENT

STATE OF NORTH DAKOTA

SFN 16769 (3/92)

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 realize that the unlawful manufacture, 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 realize 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 such conviction. I further realize that federal law may mandate 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 PERSONNEL 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 who 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 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 which 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. Such drugs include, but are not limited to, heroin, marijuana, cocaine, PP, and 'crack'. They also include 'legal drugs' which are not prescribed by a licensed physician.
3. Each employee is required to inform the agency appointing authority within five (5) days after he or she 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 contendere, 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 with which the grant was made within ten (10) days after receiving notice from the employee or otherwise receives actual notice of such a conviction.
5. If an employee is convicted of violating any criminal drug statute while in the workplace, he or she 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.