

CERTIFICATION REGARDING
DRUG-FREE WORKPLACE REQUIREMENTS
GRANTEES OTHER THAN INDIVIDUALS

An employee desiring information on drug and/or alcohol assessment, counseling, rehabilitation and/or re-entry program may contact his/her supervisor for referral information. This certification is required by the regulations implementing the Drug-Free Workplace Act of 1988, 34 CFR Part 85, Subpart F. The regulations, published in the January 31, 1989 Federal Register, required certification by grantees, prior to award, that they will maintain a drug-free workplace. The certification set out below is a material representation of fact upon which reliance will be placed when agency determined to award the grant. False certification or violation of the certification shall be grounds for suspension of payments, suspension or termination of grants, or government-wide suspension or debarment (see CFR Part 85, Sections 85.615 and 85.620).

The grantee certifies that it will provide a drug-free workplace by:

- 1) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition.
- 2) Establishing a drug-free awareness program to inform employees about:
 - A) the dangers of drug abuse in the workplace;
 - B) the grantee's policy of maintaining a drug-free workplace;
 - C) any available drug counseling, rehabilitation, and employee assistance programs; and
 - D) the penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.
- 3) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph one (1).
- 4) Notifying the employee in the statement required by paragraph one (1) that, as a condition of employment under the grant, the employee will:
 - A) abide by the terms of the statement; and
 - B) notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction.
- 5) Notifying the agency within ten (10) days after receiving notice under subparagraph four (4)(B) from an employee or otherwise receiving actual notice of such conviction.
- 6) Taking one of the following actions, within thirty (30) days of receiving notice under subparagraph four (4)(B), with respect to any employee who is so convicted:
 - A) taking appropriate personnel action against such an employee, up to and including termination; or
 - B) requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency.
- 7) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs one, two, three, four, five, and six.