

Board Policy 262

Drug Free Workplace Act of 1988

The Drug Free Workplace Act of 1988 requires institutions of higher education receiving federal contracts and grants of \$25,000 or more awarded on or after March 18, 1989, or significantly amended on or after a said date, to comply with the certification requirements of the Drug Free Workplace Act of 1988, and to apply the restrictions of the Act to all state agencies, regardless of whether they receive federal contracts or grants.

The Governor's Proclamation states,

"It is in the best interest of the people of the state of Arkansas that the standards established by the Drug Free Workplace Act of 1988 be applied to all agencies of the state regardless of whether the agency receives federal contracts or grants. Drug abuse and use of the workplace are subjects of immediate concern in our society. These problems are extremely complex and ones for which there are no easy solutions. From a safety perspective, the users of drugs may impair the well-being of all employees and the public at large and may cause damage to state property. Therefore, it is the policy of the State of Arkansas that the unlawful manufacture, distribution, dispensation, possession, or use of controlled substance in a state agency's workplace is prohibited. Any employees violating this policy will be subject to discipline up to and including termination.

Each employee is required by law to inform the agency within five (5) days after he or she is convicted for violation of any federal or state criminal drug statute where such violation occurred on the agency's premises. State agencies which receive federal contracts or grants must notify the U.S. government agency with which the contract was made within ten (10) days after receiving notice from the employee or otherwise receiving actual notice of such a conviction.

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."

Date Adopted

September 1988

Date Reviewed

July 2019

July 2025