

Drug-Free Workplace Requirements for Federal Contractors and Grantees

The Drug-Free Workplace Act of 1988 applies to all federal grant recipients and those businesses having contracts with the government worth \$100,000 or more. It requires them to:

- Publish a policy statement prohibiting unlawful use, possession, manufacture, or distribution of controlled substances in the workplace;
- Notify employees of said prohibition and the penalty for violating it;
- Establish a drug-free awareness program;
- Provide employees engaged in a contract with a copy of the policy statement;
- Notify employees that compliance with the policy statement is a condition of employment;
- Require employees to report any conviction for a drug offense in the workplace.

Within 30 days of being so informed, employers must take appropriate personnel action or require participation in a drug abuse rehabilitation program;

- Make a good-faith effort to maintain a drug-free workplace through these provisions.

Under the Act, contractors and grantees must also include in the written policy a statement requiring employees to notify them of any criminal drug statute conviction within 5 days after such conviction. Additionally, the policy must establish a procedure for notifying the contracting or granting federal agency within 10 days after receiving notice of a drug-related conviction of an employee. To ensure full compliance, the policy must also require employees convicted of drug offenses to complete a drug abuse assistance or rehabilitation program as a condition of employment.

If you are a federal government contractor or grantee, you may wish to contact the agency that awarded your contract or grant to determine whether it has additional requirements.