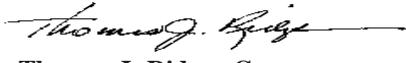


**Commonwealth of Pennsylvania**  
**GOVERNOR'S OFFICE**

**EXECUTIVE ORDER**

Subject: <b>Commonwealth of Pennsylvania's Policy on Substance Abuse in the Workplace</b>		Number: <b>1996-13</b>
Date: <b>December 20, 1996</b>	Distribution: <b>B</b>	By Direction Of:  <b>Thomas J. Ridge, Governor</b>

- WHEREAS, illegal or inappropriate use of alcohol and other controlled substances by Commonwealth employees impairs the efficiency and effectiveness of the workforce, compromises public health and safety, and undermines attainment of the missions of government agencies, thereby increasing the operating costs of state government; and
- WHEREAS, the Commonwealth is concerned with the well-being of its employees and the general public, attainment of agency missions, maintenance of employee productivity, and safe work environments; and
- WHEREAS, as the state's largest employer, the Commonwealth should promote a model workplace substance abuse policy to foster the development of drug-free workplaces and encourage creation and use of employee assistance programs.

NOW, THEREFORE, I, Thomas J. Ridge, Governor of the Commonwealth of Pennsylvania, by virtue of the authority vested in me by the Constitution of the Commonwealth of Pennsylvania and other laws, do hereby establish the following policies:

- 1.** The unlawful manufacture, distribution, dispensation, possession or use of alcohol and other controlled substances by a state employee, either while on duty or in any Commonwealth workplace, is prohibited. Such conduct shall subject the employee to appropriate disciplinary action.
- 2.** An employee determined to be unfit either while on duty, or in any Commonwealth workplace, as a result of alcohol or other controlled substances shall be subject to appropriate disciplinary action.
- 3.** Any employee who is convicted of violating any statute governing the unlawful manufacture, distribution, dispensation, possession or use of alcohol or other controlled substances in any Commonwealth workplace shall notify his or her supervisor of such conviction, in writing, no later than five days after such conviction. A conviction means a finding of guilt (including a plea of nolo contendere, disposition in lieu of trial, probation without verdict or accelerated rehabilitative disposition) or imposition of sentence, or both, by any judicial body charged with responsibility to determine violations of the federal or state criminal drug statutes.

4. Any employe convicted of drug abuse violations occurring in the workplace must satisfactorily participate in the State Employee Assistance Program or other rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency. Any employe convicted of drug abuse violations occurring in the workplace who refuses to participate in the State Employee Assistance Program shall be subject to appropriate disciplinary action.

5. Any employe who has self disclosed a problem with alcohol or other drugs shall be advised to contact the State Employee Assistance Program for assistance.

6. Education and training about the inappropriate use of alcohol and other controlled substances are important components of this policy. The Office of Administration shall provide for and initiate such education and training programs in state agencies. Education and training programs shall be consistent with this *Executive Order, Management Directives 505.22, State Employee Assistance Program* and *505.25, Substance Abuse in the Workplace*, and *Executive Order 1980-18, Code of Conduct*.

7. The Office of Administration is responsible for assuring that the Commonwealth's Policy on Substance Abuse in the Workplace and information about the State Employee Assistance Program are furnished to all employes.

**8. The Office of Administration shall:**

a. Monitor and review the implementation of this policy and assure compliance with state and federal statutes and regulations.

b. Coordinate the implementation and revision of this policy with representatives of state labor organizations.

**9. Effective Date.** This order shall be effective immediately.

**10. Rescission.** *Executive Order 1989-6, Commonwealth of Pennsylvania's Policy on Substance Abuse in the Workplace.*