

 <p style="text-align: center;"><b>ADMINISTRATIVE RULES</b></p> <p style="text-align: center;"><b>STATE OF ARKANSAS</b></p> <p style="text-align: center;"><b>BOARD OF CORRECTIONS</b></p>	<b>Section Number:</b> ADC 202 DCP 3.2	<b>Page Number:</b> 1 of 2
	<b>Board Approval Date:</b> 7/18/96	
	<b>Supersedes:</b> ADC 202 DCP 3.2	<b>Dated:</b> 2/17/94 2/17/94
	<b>Reference:</b>	<b>Effective Date:</b> 10/1/96
<b>SUBJECT: Drug-Free Workplace</b>		

**I. AUTHORITY:**

The Board of Correction and Community Punishment (BCCP) is vested with the authority to promulgate this administrative rule by Ark. Code Ann. §§ 12-27-105, 16-93-1203 and 16-93-1205 (Michie Supp. 1995).

**II. APPLICABILITY:**

This rule applies to the Arkansas Department of Correction (ADC) and Department of Community Punishment (DCP) employees and applicants.

**III. POLICY:**

It is the policy of the Department of Correction and the Department of Community Punishment to provide a drug-free work environment. The unlawful manufacture, distribution, dispensing, possession or use of a controlled substance by an employee is prohibited. Employees are also prohibited from being under the influence of alcohol during duty hours.

**IV. EXPLANATION:**

It is well recognized that drug abuse in the workplace has a deleterious effect on public health and safety, the welfare of the employee, and on morale and productivity. Drug abuse is also contrary to the missions of ADC and DCP.

**V. GUIDELINES:**

The ADC and DCP shall implement a drug testing program using reasonable test procedures employed to protect the privacy rights of employees and applicants and to achieve reliable and accurate results. The ADC/DCP Director will develop program guidelines and procedures which comply with the Drug-Free Workplace Act of 1988 and shall include at a minimum:

- A. Testing of applicants being considered for positions which require supervising offenders, after a conditional offer of employment has been made;
- B. Random testing of employees that supervise offenders;
- C. Testing of all employees based on reasonable suspicion and following critical incidents;
- D. Testing as a condition of continued employment where an employee has a documented drug history or tests positive for drugs;
- E. Referral to the Arkansas Employee Assistance Program when appropriate;
- F. Notification to ADC/DCP Internal Affairs when there is reasonable suspicion of illegal activity, to include positive alcohol/drug tests; and,
- G. Notice to employees of the penalties for violation of the policy.

**VI. STANDARDS:**

American Correctional Association (ACA)

Standards for Adult Community Residential Services 3d Edition 3-ACRS-1C-06

ACA Standards for Adult Correctional Facilities, 3rd Edition 3-4601

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