

209 Drug and Alcohol Policy

Section	Initiated	Last Update	Last Review	Related Procedure/Form	Page
Operations	November 2022	July 2024	July 2024	N/A	1 of 2

Purpose:

ProAct is committed to maintaining high standards of employee safety, production, and reliability. The purpose of this policy is to promote a safe and productive working environment and prevent accidents, injuries and property damage which may result from drug and alcohol abuse or any mood-altering substance.

Scope:

All employees, contractors, and volunteers

Policy:

It is ProAct’s policy to support a workplace free from the effects of drugs, alcohol, chemicals, and abuse of prescription medications. This policy applies to all employees, subcontractors, and volunteers.

- All employees must be free from the abuse of prescription medications or being in any manner under the influence of a chemical that impairs their ability to provide services or care.
- The consumption of alcohol, marijuana, illegal drugs or any mood-altering substance is prohibited while directly responsible for participants, or on ProAct grounds, in ProAct vehicles, machinery, or equipment, and will result in corrective action up to and including termination.
- Being under the influence of a controlled substance identified under Minnesota Statutes, chapter 152, such as alcohol, marijuana, illegal drugs or any mood-altering substance that impairs or could impair an employee’s ability to provide care or services to participants is prohibited and will result in corrective action up to and including termination.
- The use, sale, manufacture, distribution, or possession of illegal drugs while providing care to participants, on ProAct’s property, in ProAct’s vehicles, machinery, or equipment, will result in corrective action up to and including termination.
- Any employee convicted of criminal drug use or activity must notify the Human Resources Director no later than five days after the conviction.
- Criminal conviction for the sale of narcotics, illegal drugs or controlled substances will result in corrective action up to and including termination.
- ProAct’s Human Resources Director will notify the appropriate law enforcement agency when we have reasonable suspicion to believe that an employee may have illegal drugs in their possession while on duty during work hours. Where appropriate, ProAct will also notify licensing boards.

Drug Testing

ProAct’s policy is intended to comply with all state laws governing drug testing and is designed to safeguard employee and license holder privacy rights to the fullest extent of the law.



Before being asked to submit to a drug test, the employee or license holder will receive written notice of the request or requirements. The employee or license holder must also sign a testing authorization and acknowledgement form confirming that that he or she is aware of the policy and employee's rights.

Under ProAct's drug testing policy, all current and prospective employees and license holders must submit to the drug testing policy. Prospective employees will only be asked to submit to a test once a conditional offer of employment has been extended and accepted. An offer of employment by ProAct is conditional on the prospective employee testing negative for illegal substances. In addition to pre-employment testing, ProAct reserves the right to require employees to submit to post-accident, random, reasonable suspicion, return to duty and follow up testing.

Any drug testing required or requested by ProAct will be conducted by a laboratory licensed by the state. All expenses related to the test will be incurred by ProAct. The employee or license holder may obtain the name and location of the laboratory that will analyze the test sample by calling MedTox at 877-725-7261 (Eagan & Shakopee) or LabCorp at 800-833-3984 (Red Wing) 2 hours before the test is scheduled to take place.

If the employee or license holder receives notice that their test result was confirmed positive, the employee/license holder will be given the opportunity to explain the positive result. In addition, the employee or license holder may have the same sample retested at a laboratory of their choice.

If there is reason to suspect that the employee or license holder is working while under the influence of an illegal drug or alcohol, the individual will be suspended without pay until the results of a drug or alcohol test are made available to ProAct by the testing laboratory. Where drug or alcohol testing is part of a routine physical or random screening, there will be no adverse employment action taken until the test results are in.

All testing results will remain confidential. Employees or license holders must sign a consent form prior to the release of results. Test results may be used in arbitration, administrative hearings and court cases arising because of the drug testing. Results will be sent to federal agencies as required by federal law. If the individual is to be referred to a treatment facility for evaluation, the test results will also be made available to the treatment counselor.

Violations of this policy may result in disciplinary action up to and including termination at the discretion of ProAct.