



**State of Rhode Island
and Providence Plantations**

EXECUTIVE ORDER

NO. 91—14

March 29, 1991

SUBSTANCE ABUSE POLICY

WHEREAS, alcohol and illegal drug abuse represent a serious national crisis which has had a detrimental effect on the lives of many of our citizens, and upon the operation of business and State government; and

WHEREAS, many employers, including the State of Rhode Island, experience a loss in productivity due to alcohol and illegal drug abuse, related to absenteeism, injuries on the job, decreased work quality and wasted dollars; and

WHEREAS, resources for rehabilitation are available through the State Employees Assistance Program, and while employees who abuse alcohol and illegal drugs have the primary responsibility to rehabilitate themselves, the State stands ready to assist; and

WHEREAS, the Federal Omnibus Drug Abuse Act of 1988 requires any State that is a recipient of Federal funds to establish a Drug Free Workplace, including a policy on use of substances, a drug awareness program and a procedure for self-reporting convictions; and

WHEREAS, a workplace free of alcohol and illegal drug abuse is fundamental to efficient, effective and responsive government;

NOW, THEREFORE, I, Bruce Sundlun, by virtue of the power vested in me as Governor of the State of Rhode Island and Providence Plantations, deeming such action to be in the best interest of State security, the public health and safety, law as enforcement and the efficiency of State service, do hereby order as follows:

1. In an effort to achieve a workplace free of alcohol and illegal drug abuse, all employees employed by the State of Rhode Island shall abide by the State's substance abuse policy standards and procedures as set forth in paragraph 3 herein and as more particularly disseminated through the Drug Free Workplace Training Program administered by the Department of Administration
2. In this Executive Order, the following words have the meanings set forth below.
 - A. "Abuse" means:
 - (a) the use of alcohol to an extent that may result in impairment of job performance or endangerment of the safety of others in the workplace;
 - (b) the use of any illegal drug;
 - (c) the use of any over-the-counter drug to an extent that may impair job performance or endanger the safety of others in the workplace or
 - (d) the use of any prescription drug in a manner or under circumstances that the user knows or should know is inconsistent with its medically prescribed, intended use.
 - B. "Alcohol" means alcohol or ethanol.
 - C. "Drug" means a controlled substance as defined in schedules I through V of the Rhode Island Uniform Controlled Substances Act. R.I. Gen. Laws §21—28—2.8;
 - D. "Drug and alcohol free workplace" means a workplace in which every employee is refraining from and is expressly prohibited from:
 - (1) Abusing alcohol and drugs; and
 - (2) manufacturing, distributing, dispensing or possessing controlled substances;
3. Drug and Alcohol Free Workplace Policy: The State of Rhode Island and Providence Plantations establishes and adopts the following drug and alcohol free workplace policy:
 - a) State employees are required to refrain from the abuse of alcohol and illegal drugs, and must report to work in a fit condition to perform their duties or be subject to disciplinary action.
 - b) All employees employed by the State of Rhode Island, while on official business, on or off the workplace, are prohibited from purchasing, transferring, using, or possessing illegal drugs or from abusing alcohol or prescription drugs in any way that is illegal.
 - c) State authorities will take appropriate disciplinary action with all violators of this policy who are currently employed. State authorities will not knowingly consider for employment anyone who is known to currently abuse alcohol or illegal drugs.

4. Agency Responsibilities.
- a) All Department Directors and Agency heads shall work in conjunction with the Office of Personnel Administration to implement the State's policy for complying with the goal of a drug and alcohol free workplace with due consideration of the rights of the government, the employee, and the general public.
 - b) Each Department or Agency shall:
 - (1) Communicate the State's Substance Abuse policy as set forth herein and by the Director of Administration to each employee, and highlight the State's expectations regarding alcohol and drug abuse and the action to be anticipated in response to such abuse;
 - (2) inform the employee of the availability of counseling services and referral to rehabilitation assistance offered by the Employee Assistance Program through the Office of Department of Administration;
 - (3) establish an internal procedure within the Department that would allow for self referrals and supervisory referrals of employees to the State Employee Assistance Program for treatment, being mindful of and respecting to the maximum extent possible, employee rights of privacy and confidentiality consistent with safety and security regulations;
 - (4) coordinate, in conjunction with the Office of Personnel Administration, all employee training, and document all efforts to maintain an alcohol and drug free workplace.
 - (5) refer alleged cases of alcohol or illegal drug abuse to the appropriate State authority for further information and investigation and prosecution, where justified by reliable information or observation.
 - (6) Coordination of Agency Programs: The Office of Personnel Administration (OPA).
 - a) The Administrator of the Office of Personnel Administration, with the approval of the Director of the Department of Administration, shall:
 - 1) Offer guidance and assistance to all Departments and Agencies of State government on the implementation of the terms of this order;
 - 2) ensure that the appropriate coverage for alcohol and illegal drug abuse is maintained for employees and their families under the State employees health benefits programs;
 - 3) promote the State Employee Assistance Programs as a departmental resource to assess, evaluate and refer for treatment any employee(s) with alcohol and/or illegal drug abuse problems;
 - 4) in consultation with the Departments of Health, Mental Health, Retardation and Hospitals, and the Governor's Drug Program, establish an alcohol and illegal drug education program that informs State employees about the dangers of alcohol and illegal drug abuse in the workplace; the availability of counseling, rehabilitation and employee assistance programs, and the penalties that may be imposed upon employees who violate the State policy; and
 - 5) in cooperation with all Department Directors and Agency supervisors, mount an intensive alcohol and drug awareness campaign throughout the State government work force
 - b) The Department of Administration, Office of Personnel Administration shall render advice regarding the implementation of this Order and shall be consulted with regard to all policies, regulations and guidelines adopted pursuant to this Order.

This Executive Order shall effectively rescind Executive Order 89-14 dated May 24, 1989, and shall take effect immediately upon the date hereof.