

ARKANSAS REGISTER

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Transmittal Sheet



SHARON PRIEST
SECRETARY OF STATE
STATE OF ARKANSAS

Sharon Priest
Secretary of State
State Capitol Rm. 01
Little Rock, Arkansas 72201-1094

For Office Use Only: Effective Date 10/1/96 Code Number 004.00.96--001

Name of Agency Arkansas Department of Correction

Department of Correction

Contact Person Larry B. Norris, Director Phone 247-6344

Statutory Authority for Promulgating Rules § 12-27-105 and 16-93-1203 (Miche Suppl. 1993)

AR 202 Drug-Free Workplace

Intended Effective Date

Legal Notice Published 7/17-23/96

☐ Emergency

Final Date for Public Comment 7/19/96

☐ 10 Days After Filing

Filed With Legislative Council 7/96

☒ Other

Reviewed by Legislative Council 9/12/96

The effective Date for this AR is 10/1/96 Adopted by State Agency 7/18/96

CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted
In Compliance with Act 484 of 1967 As Amended.

A handwritten signature in dark ink, appearing to read "Larry B. Norris", written over a horizontal line.

Signature

Phone Number

Director

Title

9/19/96

Date

**ADMINISTRATIVE REGULATIONS****STATE OF ARKANSAS****BOARD OF CORRECTION AND
COMMUNITY PUNISHMENT**Section Number:
ADC 202**DCP 3.2**Page Number:
1 of 2

Board Approval Date:

7/18/96

Supersedes:

ADC 202**DCP 3.2**

Dated:

2/17/94**2/17/94**

Reference:

Effective Date:

10/1/96**SUBJECT: Drug-Free Workplace****I. AUTHORITY:**

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

II. APPLICABILITY:

This regulation 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:



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10-1-96

SUBJECT: Drug-Free Workplace

- 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

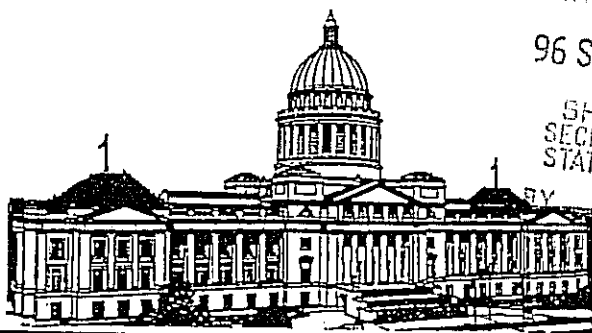
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