

EXECUTIVE ORDERS

(7) "Workplace" means any place at which work is performed in accordance with the terms of a State contract, grant, loan or other instrument that governs the receipt of State funds.

C. Responsibilities of the Board of Public Works. The Secretary to the Board of Public Works shall cause to be prepared for the Board's consideration, pursuant to its statutory authority to control State procurement and to award or approve the disbursement of certain State contracts, grants, loans, and other funds for the workplace, in accordance with applicable federal and State law, regulations requiring the recipients of those funds to establish a drug and alcohol free workplace program. Those regulations shall include:

(1) Provisions that require each recipient to maintain a workplace free of drug and alcohol abuse during the term of the contract, grant, loan, or other receipt of State funds;

(2) Provisions that prohibit the unlawful manufacture, distribution, dispensation, possession, or use of drugs in the workplace of a recipient;

(3) Provisions that prohibit employees of a recipient from working under the influence of alcohol or drugs;

(4) Provisions that prohibit the recipient from hiring or assigning to work on an activity funded in whole or in part with State funds, anyone whom the recipient or the hiring official of the recipient knows, or in the exercise of due diligence should know, currently abuses alcohol or drugs and is not actively engaged in a bona fide rehabilitation program;

(5) Provisions that require each recipient to promptly inform the appropriate law enforcement agency of every drug related crime that occurs in its workplace if the recipient or an employee of the recipient has observed the violation or otherwise has reliable information that a violation has occurred;

(6) Provisions that require recipients to establish drug free and alcohol abuse awareness programs, to notify employees of the availability of such programs, to impose sanctions on employees who abuse drugs and alcohol in the workplace, and to institute steps to maintain a drug and alcohol free workplace;

(7) Provisions that make the receipt of State contracts, grants, loans, or other funds awarded through or approved by the Board of Public Works conditional upon compliance with the regulations adopted pursuant to this Executive Order;

(8) Provisions for the discretionary termination of a State contract, grant, loan or other award of State funds to a recipient who violated those regulations;

(9) Provisions for the discretionary suspension or debarment of a recipient who violates those regulations; and

(10) Such other drug and alcohol free workplace requirements as the Board of Public Works, in the exercise of its lawful authority, finds necessary or desirable