

Capital Area Counseling Service. Inc.

Policy and Procedure

Title: Drug-Free Workplace

Approved by Board: 08/27/2026

Policy

Capital Area Counseling Service (CACS) is committed to maintaining a drug-free workplace consistent with federal and state law. Employees and others conducting work on behalf of CACS are expected to report to work fit for duty and free from impairment that could adversely affect patient care, workplace safety, or job performance. Thus, this organization considers the use of illegal drugs, alcohol, medical cannabis, or other substance that causes impairment on the job to be an unsafe and counterproductive practice.

Purpose

CACS strives to provide a safe work environment and encourages good personal health. This policy outlines agency guidelines regarding illegal substances or impairing substances for employees and those conducting work on behalf of CACS. This policy is adopted pursuant to and informed by the Drug-Free Workplace Act of 1988, Controlled Substances Act, Americans with Disabilities Act (ADA) and SDCL §34-20G-24. Compliance with this Drug-Free Agency policy is a condition of employment. The public will be informed of this policy to demonstrate our commitment to a Drug Free Workplace.

Procedure

The agency prohibits employees and others performing work on behalf of CACS from being under the influence of any drug, alcohol, medical cannabis or other substance that causes impairment. This policy prohibits the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance on work time. Violations will be subject to disciplinary action up to and including termination.

Prescription drugs prescribed by the employee's physician may be taken during working hours, but the employee should notify the supervisor if the use of these prescription drugs will affect the employee's ability to perform the essential functions of their position safely, or if it may cause impairment. HR should be notified if accommodation may be needed. The employee must present a valid and current doctor's prescription and must be under the prescribing doctor's care. It should be noted due to South Dakota laws regarding cannabis the possession of a South Dakota medical cannabis registration card does not authorize cannabis use in the workplace or during the workday. If an employee is authorized a medical cannabis registration card it must be provided to HR.

Using Alcohol During Working Hours and Agency Functions

Employees are prohibited from consuming alcohol during working hours or from reporting to or remaining at work while impaired by alcohol, with the exceptions listed below. Violations will be subject to disciplinary action up to and including termination.

CACS recognizes that alcohol may be served at certain business-related functions, including events, fundraisers, recruiting dinners, and similar agency-sanctioned events, which may occur outside regular office hours. Employees who choose to consume alcohol at such events are expected to do so responsibly and in moderation. Excessive consumption, intoxication, or conduct that adversely affects an employee's judgement, performance, safety, or professional conduct is prohibited.

Reasonable Suspicion

If an employee or someone performing work on behalf of CACS reports for duty visibly impaired they will not be allowed to work. Knowledge of or suspected violations of this policy should be reported to an immediate supervisor or the HR Department. The supervisor shall consult privately with the employee to rule out any problems that may have been caused by prescription drugs. If possible, the supervisor should seek another supervisor's opinion of the employee's condition. It is the responsibility of CACS' supervisors to counsel with an employee whenever they see changes in performance that suggests an employee problem.

If there is reasonable suspicion that illegal drugs, alcohol, medical cannabis, or other substances that cause impairment may be present in the employee's system, the employee is to immediately submit to substance abuse screening through the agency's standard screening process. If the employee is considered impaired, that employee should be sent home or to a medical facility by taxi or another safe transportation alternative. An impaired employee should not be allowed to drive.

A Substance Use Assessment may be offered to accurately understand the extent of any substance use disorder, which may be present. The CEO or designee must provide prior authorization and results of such testing will be filed in the employee's personnel file.

Random Drug Screening

New employees will complete pre-hire drug testing as a condition of their employment as outlined in the Posting Positions & Hiring Process SOP. All employees are subject to random substance abuse screens without notice. Failure to immediately comply with such a request for screening, or a positive test result, may lead to further disciplinary action up to and including termination of employment.

Reference

1. Requirement within our Contract with the State of South Dakota
2. SDCL §34-20G-24
3. Posting Positions & Hiring Process SOP
4. Medical & Recreational Cannabis POL
5. Random Drug Screening SOP