

AW

### Certification Regarding Drug-Free Workplace Requirements Grantees Other Than Individuals

ation is required by the regulations implementing the Drug-Free Workplace Act of 1988, 34 CFR Part 85, Subpart F. The regulations published in the May 23, 1990 Federal Register, require certification by grantees, prior to award, that they will maintain a drug-free workplace. The certificate set out below is a material representation of fact upon which reliance will be placed when the agency awards the grant. False certification or violation of the certification shall be grounds for suspension of payments, suspension of award of grant, or government-wide suspension or debarment (see 34 CFR Part 85, Sections 85.615 and 85.620).

grantee certifies that it will or will continue to provide a drug-free workplace by:

publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibitions;

establishing an ongoing drug-free awareness program to inform employees about-

- (1) The dangers of drug abuse in the workplace;
- (2) The grantee's policy of maintaining a drug-free workplace;
- (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
- (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

Providing a copy of the statement required by paragraph (a) to the employees to be engaged in the performance of the grant or to be given a copy of the statement by paragraph (a);

Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will-

- (1) Abide by the terms of the statement; and
- (2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

Notifying the agency, in writing, within ten calendar days after receiving notice under subparagraph (d)(2) from an employee who is receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to the Director, Grants and Contracts Service, U.S. Department of Education, 400 Maryland Avenue, S.W. (Room 3124, USA Office Building No. 3), Washington, DC 20202-4571. Notice shall include the identification number(s) of each affected employee.

Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted-

- (1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
- (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), and (f).

The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific

performance (Street address, city, county, state, zip code)

If there are workplaces on file that are not identified here.

Name

PR Award Number and/or Project Name

CITY OF PUERTO RICO COL

Title of Authorized Representative

AUGUST 20, 1990

Date

8/21/90