

MassHire Franklin Hampshire Workforce Board

RFP #2020-01 Career Center Operator/Provider Services

Attachment VII: Certificate Regarding Drug-Free Workplace (Grantees Other than Individuals)

This certification is required by the regulations implementing the Drug-Free Workplace Act of 1988, 29 CRF 98.630. The regulations published in the January 31, 1989 Federal Register require certification by grantees prior to award, that they will maintain a drug-free workplace. The certification set out below is a material representation of fact upon which reliance will be placed when the agency determines to award the grant. False termination of grants, or government-wide suspension or debarment (29 CRF Part 98.630).

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

- A. 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 prohibition;
- B. Establish a Drug-Free Awareness Program as required by Government Code Section 8355(b) to inform employees about all of the following:
 - a. The dangers of drug abuse in the workplace;
 - b. The grantee's policy of maintaining a drug-free workplace;
 - c. Any available drug counseling, rehabilitation, and employee assistance programs; and
 - d. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
- C. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by Paragraph A;
- D. Notifying the employee in the statement required by Paragraph A that, as a condition of employment under the grant, the employee will
 - a. Abide by the terms of the statement; and
 - b. 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;
- E. Notify the agency in writing, within ten days after receiving notice (under subparagraph D, section 2), from an employee or otherwise receiving actual notice of such conviction;
- F. Taking one of the following actions, within 30 calendar days of receiving notices (under subparagraph D, section 2), with respect to any employee who is so convicted –
 - a. 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
 - b. 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;
- G. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs A, B, C, D, E, and F.

Contractee

Name of Certifying Official (Signature)

Date