Certification Regarding Drug-Free Workplace Requirements

The certification set out below is a material representation of fact upon which reliance is placed when the General Services Administration (GSA) authorizes a State Agency to retain federally owned property pursuant to a cooperative agreement entered into under the terms of section 203(n) of the Federal Property and Administrative Services Act of 1949, as amended. It it is later determined that the State Agency knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act (GSA, in addition to any other remedies available to the Federal Government, may take action authorized under the Drug-Free Workplace Act (see 41 CFR 105-68.620).

1. The State Agency named herein, as a condition for retaining donable surplus property for use in performing its donation functions, certifies that it 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 any State Agency workplace and specifying the actions that will be taken against employees for violation of such prohibition:
   b. Establishing an ongoing drug-free awareness program to inform employees about:

      (1) The dangers of drug abuse in the workplace;
      (2) The State Agencies 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;

   c. Making it a requirement that each employee to be engaged in the performance of the State Agencies Federal donation program 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 State Agencies Federal donation program, the employee will:

      (1) Abide by the terms of the statement ;
      (2) Notify the State Agency in writing of his or her conviction for a violation of a criminal drug statue occurring in the workplace no later than 5 calendar days after such conviction;

   e. Notifying the General Services Administration, Property Management Division (FBP), Washington, DC 20406, in writing, within 10 calendar days after receiving notice under subparagraph d. (2) from an employee or otherwise receiving actual notice of such conviction. The notification shall include the position title of the convicted employee;
   f. 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;

   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.

2. This certification is submitted for Federal Fiscal Year 2012 and covers all work sites under the State Agencies jurisdiction.

UTAH
Name of State Agency

Dan R. Martinez, Program Manager
Name and Title of Authorized Official

DRMartinez
Signature

9-27-12
Date