

WILLIAM DONALD SCHAEFER, Governor

non-State entities that do business with the State or that otherwise receive funds from the State to make a good faith effort to eliminate illegal drug use and alcohol and drug abuse from their workplaces.

B. Definitions. In this Executive Order, the following words have the meanings indicated.

(1) "Abuse" means:

(a) The use of alcohol when it may impair job performance or endanger the safety of others in the workplace;

(b) The use of any illegal drug;

(c) The use of any over-the-counter drug when the user knows or should know that it may impair job performance or endanger the safety of others in the workplace; or

(d) The use of any prescription drug in a manner or under circumstances that the user knows or should know is inconsistent with its medically prescribed, intended use.

(2) "Alcohol" means ethyl alcohol or ethanol.

(3) "Drug" means:

(a) A controlled dangerous substance as defined in Article 27, § 277 of the Annotated Code of Maryland Code; and

(b) Any substance, other than alcohol, caffeine, food or tobacco, that when taken into the body may impair one's mental faculties or change one's mood or physical performance.

(4) "Drug and alcohol free workplace" means a workplace in which every employee is expressly prohibited from:

(a) Abusing alcohol and drugs; and

(b) Manufacturing, distributing, dispensing or possessing illegal drugs.

(5) "Employee" means every employee, agent, servant, etc., of the recipient whose position is funded in whole or in part with State funds or who works on a project funded in whole or in part with State funds. "Employee" includes owners who themselves are performing any activity funded in whole or in part with State funds.

(6) "Recipient" means an individual, a sole proprietorship, a partnership, a corporation, a joint venture or any other entity that has been awarded or is a candidate or applicant for a State contract, grant, loan, or other State funds for use in the workplace. "Recipient" includes not-for-profit entities and governmental entities.