



POLICY TITLE	Drug-free Workplace	Policy Number	324
Section	Human Resources	Approval Date	June 18, 1992
Subsection	Conditions of Employment	Effective Date	June 18, 1992
Responsible Office	Vice President of Planning, Budget, and Human Resources		

1.0 PURPOSE

2.0 REFERENCES

2.1 *Drug-free Workplace Act of 1988*, Sections 5152 and 5153

3.0 DEFINITIONS

3.1 **Employee:** An employee of the University, except as expressly stated otherwise;

3.2 **Workplace:** Includes all university property (including vehicles) and all other places where employees are located while on duty for the University.

4.0 POLICY

4.1 The University will maintain a drug-free workplace in compliance with state and federal laws and regulations, except that this policy extends to all employees, not merely those prescribed by state and federal laws and regulations.

5.0 PROCEDURES

5.1 General Rules

5.1.1 The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited in the workplace.

5.1.2 As a condition of employment, all university employees must abide by the terms of the University drug-free workplace policy and procedure. For every violation of this procedure, the University will require participation in a drug-abuse assistance or rehabilitation program



satisfactory to the University, take such actions as are appropriate under its policies and procedures then in effect, or both.

5.1.3 Every employee convicted of a drug-related, criminal activity in the workplace shall notify the University personnel office within five days after each conviction.

5.1.4 Within ten days after receiving such notice or actual notice (whichever is earlier) the University will notify every Federal agency to the extent required by Sections 5152 and 5153 of the *Drug-free Workplace Act of 1988* and corresponding subsequent laws of the United States (the "Act").

5.1.5 After receiving such notice or actual notice, the University will take the following actions regarding the employee:

1) In the case of an employee as defined in Section 5157 of the Act, within 30 days after receiving such notice or actual notice, the University will (a) take appropriate personnel action against such employee up to and including termination, or (b) require such employee to satisfactorily participate 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. (This provision preempts other university policies and procedures.)

2) In the case of any other university employee, the University will require participation in a drug-abuse assistance or rehabilitation program satisfactory to the University, take such actions as are appropriate under its policies and procedures (including time schedules) then in effect, or both.

5.1.6 The University will establish and maintain a drug awareness and education program for all employees.

5.1.7 The University will publish its drug-free workplace policy and procedure to all employees. (It is intended that this publication be the statement required by the Act.)

5.2 Definitions

5.2.1 Terms in this procedure have the same definitions as in Section 5157 of the Act except as follows:

1) The term "employee" means an employee of the University, except as expressly stated otherwise;

2) The term "workplace" includes all university property (including vehicles) and all other places where employees are located while on duty for the University.



5.3 Specifics

5.3.1 Notice to Federal Agencies

5.3.1.1 Whoever receives actual notice that an employee has been convicted as described in section 5.1.4, must notify Human Resources of that conviction within two days of that receipt of actual notice. Within two days after receiving notice as described in the preceding sentence or in section 5.1.4, Human Resources will notify the university office responsible for federal grants and contracts. That latter office is responsible to provide the notice to federal agencies, as required by section 5.1.4 and the Act.

5.3.2 Drug Awareness and Education Program

5.3.2.1 The University will establish and maintain an awareness and education program to inform employees of:

- 1) The University's commitment to maintaining a drug-free workplace,
- 2) The dangers of drug abuse in the workplace,
- 3) Available drug-abuse counseling, rehabilitation, and employee assistance programs,
- 4) The employee's responsibility to adhere to university policy and procedure, and
- 5) Sanctions and penalties that may be imposed for violating university policy and procedure.

5.3.2.2 In addition, supervisors shall receive regular training regarding:

- 1) The detection and assessment of drug abuse,
- 2) Procedures to be followed when substance abuse is suspected, and
- 3) Other administrative procedures for implementing drug-free work-place policies and procedures. These education awareness programs and training will be coordinated by Human Resources.

5.3.3 Voluntary Reporting

5.3.3.1 Every employee who has or thinks he or she might have a drug abuse problem is encouraged voluntarily to seek assistance through the University's health insurance and employee assistance benefit programs, and through other services available in the community. Except as required by law, seeking assistance is not to be used as a reason for imposing discipline.



5.3.4 Treatment of Employees Suspected of Drug Abuse or Policy Violation

5.3.4.1 When a supervisor or administrator reasonably believes that an employee is under the influence of drugs or is violating the drug-free workplace policy or procedure, the supervisor or administrator will see that the employee is removed to a safe, non-threatening environment. An employee's refusal to comply will be considered insubordination subject to discipline.

Supervisors and administrators will not make diagnoses. Promptly after the removal, the supervisor or administrator will review the incident with his or her university executive, the personnel director, the employee, and others as needed to determine whether sufficient evidence exists that a violation of the drug-free workplace policy or procedure occurred and to recommend appropriate action.

POLICY HISTORY		
Date of Last Action	Action Taken	Authorizing Entity