

**SUBPART 8-5
DRUG-FREE WORKPLACE POLICY**

Sec. 8-501. Statement of Principles. Consistent with State and federal law, the University will maintain a workplace free from the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance, as defined under the Controlled Substances Act. When state and federal controlled substance and/or drug laws are in conflict, the federal law will take precedence over state laws.

Statutory Reference:

Controlled Substances Act, 21 USC §812

Sec. 8-502. Prohibition of the Unlawful Manufacture, Distribution, Dispensation, Possession or Use of Drugs or Narcotics. The unlawful manufacture, distribution, dispensation, possession or use of drugs or narcotics is prohibited on any property under the control of and governed by the Board, and at any site where work is performed by individuals on behalf of the University.

Sec. 8-503. Disciplinary Action. Pursuant to applicable University procedures governing employee discipline, any employee involved in the unauthorized use, sale, manufacturing, dispensing or possession of legal or illegal drugs or narcotics on University premises or work sites, or working under the influence of such substances, will be subject to disciplinary action up to and including dismissal.

Sec. 8-504. Requirement of Notification Regarding Criminal Drug Statute Conviction. An employee who is convicted under any criminal drug statute for a violation occurring in the workplace must notify the University no later than five (5) days after such conviction. Failure to provide such notice will subject the employee to dismissal. The employee shall notify his/her immediate supervisor, who will report the incident to the Office of Human Resource Development.

Sec. 8-505. Prevention of Substance Abuse. The University supports programs aimed at the prevention of substance abuse by University employees. The University shall make its counselors available to University employees who have problems relating to substance abuse. Such counseling is confidential, to the extent permitted by law, and unrelated to performance appraisals. Leaves of absence to obtain treatment may be obtained under the sick leave or medical leave provisions of the appropriate labor contract or policy.

Cross Reference:

Subpart 6-5. Leaves of absence.

Sec. 8-506. Implementation of this Subpart. The President is authorized and directed to immediately implement this subpart and to take such other action as may be required to comply with the Drug-Free Workplace Act of 1988 and administrative rules issued pursuant to that act. The University's Department of Human Resources shall be responsible for administering policies

and procedures governing this subpart. Such policies and procedures shall be issued by the Vice President for Administration and Finance and approved by the President.

Statutory Reference:

Drug-Free Workplace Act of 1988, 41 USC §701

Sec. 8-507. Applicability of this Subpart. This subpart applies to all University employees, including but not limited to faculty, academic staff, support staff and student employees.

Cross Reference:

Human Resources Policies and Procedures, *Alcohol and Other Drug Use*

Prior Board Action:

Entire Subpart 8-5 included in October 19, 2001 Codification, Phase I.

Entire Subpart 8-5 included in October 22, 2004 Codification, Phase II.