



## UNIVERSITY POLICY

### HUMAN RESOURCES POLICIES

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**Number: 308**

**Subject: Drug Free Workplace Policy**

**Covered Individuals: UIU Employees**

**Covered Campus Locations: All Locations**

**Effective Date: November 7, 2018**

**Last Revision:**

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**PURPOSE:** Upper Iowa University (UIU) is committed to the maintenance of a drug free environment in accordance with the Drug-Free Workplace Act of 1988, 34 CFR Part 85, and will not tolerate the unlawful possession and use of controlled substances on its premises. The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited in and on UIU owned or controlled property by faculty, staff, or student employees.

**DEFINITIONS:** The following terms are important for purposes of expressing the University's policy on a drug-free workplace:

- A. Controlled substance means a controlled substance in schedules I through V of section 202 of the Controlled Substance Act (21 U.S.C. 812), as further defined by regulations at 21 CFR 1300.11 through 1300.15.
- B. Contract means a legal instrument reflecting a relationship between the federal government and a recipient whenever the principal purpose of the instrument is the acquisition of property or services for the direct benefit or use of the federal government.
- C. Conviction means the finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the federal or state criminal drug statutes.
- D. Criminal drug statute means a federal or state statute involving the manufacture, sale, distribution, dispensation, use, or possession of any controlled substance.
- E. Employee means any faculty member, staff member, or student receiving a salary, wages, other compensation and/or stipend support from the University.
- F. Federal agency or agency means any United States executive department, military department, government controlled corporation, or any other establishment in the executive branch, or any independent regulatory agency.
- G. Grant means an award of financial assistance, including a cooperative agreement, in the form of money or property in lieu of money, by a federal agency directly to a

grantee. The term grant includes block grant and entitlement grant programs. The term does not include technical assistance which provides services instead of money, or other assistance in the form of loans, loan guarantees, interest subsidies, insurance, or direct appropriations, or any veterans' benefits to individuals, i.e., any benefit to veterans, their families, or survivors by virtue of the service of a veteran in the Armed Forces of the United States.

- H. Grantee means a legal entity which applies for or receives a grant or contract directly from a federal agency.
- I. Illegal use of drugs means the use of a controlled substance, as defined above.
- J. Workplace means the physical boundaries of all University owned or controlled property, including leased property.

**POLICY:** It is the policy of the University that the illegal manufacture, sale, distribution, dispensation, possession, or use of drugs is prohibited on its premises. In support of this policy, the University, through its Office of Human Resources (Human Resources), will notify each employee annually of the existence of this policy and provide a summary. Employees, including student employees, who are employed on a federal grant or contract, will be notified that, as a condition of their employment, they must abide by the terms of this policy.

The University prohibits its employees ("employees" or "employee" includes student workers in this policy) from reporting to work or performing work for the University while impaired by or under the influence of illegal drugs or alcohol.

The illegal use, possession, dispensation, distribution, manufacture, or sale of alcohol or other drugs by an employee in the workplace, or while the employee is on duty or on official University business, is prohibited. This standard of conduct applies to all University-sponsored on-campus and off-campus activities. Federal law contains further prohibitions against the manufacture, possession with the intent to distribute, or distribution of controlled substances, including narcotic drugs, marijuana, depressant, or stimulant substances.

Upper Iowa University promotes wellness and recognizes chemical dependency as a major threat to wholeness of personal health. The University is therefore committed to seeing that all its employees understand that:

- The use of alcohol and/or illegal drugs can interfere physically, mentally, and socially with the ability to perform important functions.
- These drugs impair physical coordination and mental alertness and may damage the immune system, resulting in irreversible health problems and death.
- Social behavior following use of alcohol or illegal drugs may be destructive to relationships.

Human Resources coordinates programs to inform employees about the dangers of drug and alcohol abuse, the University's policy, counseling or rehabilitation programs in the community, and penalties for violations. Referrals to community and area evaluation and counseling services are available to employees as an employee benefit. Information on those services is available from Human Resources.

## **RULES, PROCEDURES, GUIDELINES, FORMS, AND OTHER RELATED RESOURCES**

N/A

## **CONTACTS**

Acting as the policy owner, the Office of Human Resources is responsible for answering questions regarding the application of this policy.

## **SANCTIONS**

Violations of the standards of conduct described previously will result in:

- Corrective action up to and including termination as described in the staff and faculty handbooks, and/or
- Required satisfactory participation in a drug and alcohol abuse evaluation or rehabilitation program.

Any employee or student employee who is convicted of violating any criminal drug statute in the workplace as described above must report that conviction to Human Resources within five days of the conviction.

Within 10 days after receiving notice of such conviction from an employee who is a participant in a federal grant or contract, Human Resources will notify the granting agency of an employee's conviction for violation of the standards of conduct identified for the workplace. Within 30 days of the employee's conviction the University will impose corrective action on the employee, and/or require satisfactory participation in the drug abuse assistance program.

## **HISTORY**

- October/November 2018 -- Policy assembled
- November 5, 2018 -- Recommended by University Policy Committee for approval
- November 7, 2018 -- Approved by President's Council