

OKLAHOMA PANHANDLE STATE UNIVERSITY

DRUG-FREE WORKPLACE POLICY

PURPOSE AND SCOPE

1.01 The Drug-Free Workplace Act passed by Congress in 1988 requires federal contractors and grantees to certify to the contracting or granting agency that they will provide a drug-free workplace. This policy is adopted in order to comply with this statutory directive.

DEFINITIONS

- 2.01 a. Workplace – Oklahoma Panhandle State University owned or controlled property or the site for performance of work.
- b. Controlled Substance – cocaine, marijuana, opiates, amphetamines and any other substance designated a “controlled substance” in schedules I through V of section 202 of the Controlled Substances Act (21 U.S.C. 812).
- c. Criminal Drug Statute – A federal or non-federal criminal statute involving the manufacture, distribution, dispensations, use, or possession of any controlled substance.
- d. Conviction – A finding of guilt (including judicial acceptance of a plea of nolo contendere) or imposition of sentence, or both, by a judicial body determining violations of Federal or non-federal criminal drug statutes.
- e. Project Director – The individual having administrative supervision over a project resulting from a federal grant or contract.
- f. Employee – Shall include Oklahoma Panhandle State University Faculty, Administrative and Professional staff, Classified staff, and student appointments.

POLICY

- 3.01 In support of this anti-drug abuse legislation, it is the policy of Oklahoma Panhandle State University to establish and maintain appropriate compliance by:
- a. Publishing and distribution to all employees a written statement regarding this controlled substance prohibition in the workplace, with descriptions of disciplinary actions which may be taken against employees for violations of such prohibition.
- b. Establishing a drug-free awareness program.

- c. Notifying the contraction or granting agency within 10 days of receiving notice of an employee's criminal drug statute conviction for a violation occurring in the workplace.
- d. Imposing appropriate administrative disciplinary action on, or requiring the satisfactory participation in a drug abuse assistance or rehabilitation program by any employee who is so convicted or who has otherwise violated this policy.
- e. Making a good-faith continuous effort to maintain a drug-free workplace through the implementation of the requirements set forth in the Drug-Free Workplace Act.

PROCEDURES

- 4.01 A copy of the written statement in 3.01 (a) regarding the controlled substance prohibition in and on OPSU property, shall be disseminated to all current employees, posted in each department of the University and given to each new employee.
- 4.02 The project director will have the responsibility of explaining this policy to employees working on a federal contract/grant.
- 4.03 An employee shall notify the project director or, in the absence of a project director, his/her immediate supervisor or other supervisory administrator, of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction.
- 4.04 The project director shall notify the Department of Grants and Contract Financial Administration ("GCFA") of an employees criminal drug statute conviction for a violation occurring in the workplace. The GCFA shall notify the federal contracting agency of such conviction within ten days of the notice under paragraph 4.03 or otherwise receiving actual notice of such conviction. The project director's notification shall be made in a timely manner so that GCFA may comply with the time requirement set forth herein.
- 4.05 Suspensions and Disciplinary Actions
 - a. An employee found at any time to have violated the drug-free workplace policy may be disciplined by Oklahoma Panhandle State University even when the violation has not resulted in a criminal conviction. Employees may also be temporarily suspended if such is deemed necessary to protect the best interest and safety of the University, its components, and participants. As an alternative to disciplinary action, the University may require satisfactory participation in a drug abuse assistance or rehabilitation program as a condition to continued employment. The drug abuse assistance/rehabilitation program shall be one that has been previously approved for such purposes by a federal, state or local health, law enforcement or other appropriate agency.
 - b. In determining whether a violation of the Drug-Free Workplace Policy as occurred and the disciplinary action to be imposed as a result of each violation, relevant provisions of the Personnel Handbook shall be followed insofar as faculty and staff are concerned.

- c. One of the actions set forth above in 4.05 (a) (i.e., discipline or satisfactory participation in a drug abuse assistance/rehabilitation program) shall be taken within thirty days of receiving notice of a conviction as provided for in 4.03.
- d. Failure of an employee to report his/her criminal drug statute conviction for a violation in the workplace within five days of the conviction is ground for dismissal of that employee.
- e. For staff employees, appropriate and established leave policies will be followed for the purposes of such treatment and rehabilitation. For student employees and faculty, drug rehabilitation leave will be determined on an individual basis.
- f. Where necessary because of conviction and incarceration, decisions relative to suspension or dismissal or the granting of leave for treatment will be determined individually.

4.06 Counseling and Rehabilitation Sources

The office of Student Affairs may be contact for preliminary counsel and advice regarding chemical dependency problems and referral to approved chemical dependence treatment agencies.

I, _____, have read and understand
the Oklahoma Panhandle State University Drug-Free Workplace Policy.