

Drug-Free Workplace Policy

General Statements

The Federal Drug-Free Workplace Act requires that entities seeking consideration for a grant from any federal agency or any entity seeking a contract for the procurement of any property or services valued over a certain threshold from any federal agency, certify to the federal granting or contracting agency that it will provide a drug-free workplace. Supporting this anti-drug abuse legislation and recognizing that drug abuse in the workplace is a concern regardless of any connection to federal funds, Oklahoma Panhandle State University established a Drug-Free Workplace Policy.

Specific Statements

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

The Director of Human Resources will ensure employees are aware of the dangers of substance abuse by electronically posting educational pamphlets, material, and/or other related activities.

An employee convicted under a state or federal criminal drug statute for misconduct in the workplace shall notify the Human Resources Office within five (5) days of such conviction (as a condition of continued employment).

The Human Resources Office shall provide timely notification (within ten (10) days of knowledge) to appropriate federal granting or contracting agencies when a university employee engaged in the performance of federal grants or contracts is convicted under any state or federal criminal drug statute for a violation of this policy in the workplace.

Penalties assessed for convictions of drug abuse in the workplace shall range from reprimand to termination, depending upon the circumstances of the individual situation. An individual may also be required to participate in an approved substance abuse rehabilitation program as a condition of continued employment.

Notification of Criminal Plea or Conviction Information

As a condition of employment, all Oklahoma Panhandle State University employees are expected to report to work fit for duty and free of impairment due to the consumption of drugs (whether illegal or prescribed) or alcohol.

This does not prohibit employees from the lawful use and possession of prescribed medications. Employees must, however, consult with their physician(s) about the medication's effect on their fitness for duty and the ability to work safely and promptly disclose restrictions to their supervisor. Employees need not disclose underlying medical conditions to supervisors but should do so to the Health Insurance Portability and Accountability Act (HIPAA) official in Human Resources.

All employees must notify the Human Resources Office, in writing, of entering any plea of guilty or nolo contendere (no contest) to any criminal violation of any state or federal law, or of any conviction of state or federal criminal statutes, other than minor traffic violations, no later than five calendar days after the entry of such a plea of guilty, nolo contendere or conviction.

Lack of compliance with these requirements may subject the employee to disciplinary action, including immediate separation from employment. In addition, an employee found at any time to have violated the drug-free workplace policy may be disciplined even when the violation has not resulted in a criminal conviction.

Definitions

- A. “*Controlled Substance*” means any controlled substance set forth in Schedules I through IV of Section 202 of the federal Controlled Substances Act (21 U.S.C. Sec. 812, as amended). Such controlled substances include, but are not limited to cocaine, marijuana, opiates, amphetamines and barbiturates.
- B. “*Conviction*” means a 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 federal or state criminal drug statutes.
- C. “*Criminal Drug Statute*” means any criminal drug statute involving manufacture, distribution, dispensation, use or possession of any controlled substance.
- D. “*Employee*” means any person receiving pay through the university payroll system.