

**THE UNIVERSITY OF SCRANTON
DRUG-FREE WORKPLACE POLICY**

The University of Scranton 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 The University of Scranton 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 and as defined in Pennsylvania=s Controlled Substance, Drug, Device and Cosmetic Act, 35 Pa. C.S.A. ' 780-101 et seq.
- 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 by purchase, lease or barter of property or services for the direct benefit or use of the federal government.
- C. Conviction means 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 criminal statute involving the manufacture, sale, distribution, dispensation, use or possession of any controlled substance.
- E. Employee means any faculty, staff 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 corporation, 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 the University and all University owned or controlled 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. Sanctions imposed for violation of this policy are indicated below.

In support of this policy, the University:

- A. Has available through the Employee Assistance Program (EAP) and the Counseling Center, therapeutic education and referrals to appropriate therapy programs dealing with drug abuse. The Office of Human Resources, as well as individual departments, will refer faculty and staff to the EAP or the Counseling Center. Student employees will be referred to the Counseling Center. The EAP or Counseling Center will make referrals for treatment as appropriate. An employee may be given the opportunity to choose between corrective action, which may include termination or professional intervention, diagnosis, and/or treatment.
- B. Will provide each employee a copy of this policy. In addition, all faculty, staff and students will be notified of this policy through appropriate publications.
- C. Will notify each University employee and each student employee that, as a condition of employment on a federal grant or contract, the person once so employed must abide by the terms of the policy.
- D. Will require any employee convicted of any criminal drug statute violation which has occurred in the workplace to notify his or her supervisor or appropriate academic officer, preferably in writing, of such conviction, including any resultant conditions, within five days of the conviction.
- E. Will require each academic officer, supervisor or student employment official having knowledge of or receiving notification of a conviction as described above to immediately notify in writing the Director of Human Resources. Under certain conditions the Director of Human Resources will notify the Graduate Dean and Director of Research.
- F. Will notify the appropriate federal agency within 10 days after receiving notice of a criminal drug statute conviction of any University employee engaged in the performance of the grant or contract.
- G. Will impose corrective actions on, or require the satisfactory participation in a drug abuse assistance rehabilitation program by, any employee so convicted.
- H. Will make a good faith effort to continue to maintain a drug-free workplace through implementation of this policy.
 - 1. Application of Policy. The Drug-Free Workplace Policy, which applies to all persons in the University workplace, is supported by a drug awareness program available to the faculty, staff

and students of the University. Specific compliance and reporting items enumerated in the policy (items B,C,D,E,F) are applicable to all persons employed on federal contracts and grants.

2. Implementation. Implementation of this policy is the responsibility of the Office of Human Resources and Research Services.

Penalties for Violation of the Policy

The University policy prohibiting illegal drugs in the workplace is a protection of, and support for, the employees and students of The University of Scranton. Therefore, any employee convicted of a drug offense occurring in the workplace will be subject to corrective action (up to and including suspension, suspension without pay, and/or termination) and may be required to satisfactorily participate in a drug abuse assistance or rehabilitation program as agreed upon between the employee and the Office of Human Resources. Further information concerning corrective actions and appropriate procedures are available from the Office of Human Resources.

Employee Assistance

The University of Scranton and the Employee Assistance Program offer information on drug abuse assistance programs, individual counseling and referrals, and periodic educational programs on the dangers of drug abuse and managing drug related problems. Further information regarding these programs and services can be obtained from the EAP by calling 1-800-EAP-CALL, contacting the Counseling Center, Campus Ministry, or the Wellness Center which has extensive resource materials and which sponsors many educational seminars, lectures and other events which are designed to increase drug and alcohol awareness among members of the University community.