



## *Policies and Procedures*

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# ESF Drug-Free Workplace Policy

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### Introduction:

The Federal Drug-Free Workplace Act, a part of the Anti-Drug Abuse Act of 1988, and The Drug Free Schools and Communities Act of 1989 imposed significant responsibilities on recipients of federal grants and contracts, including funds for campus-based financial aid programs. As a recipient of such funds, SUNY-ESF is subject to the requirements of the Acts. Among those requirements is the adoption of a campus Drug-Free Workplace Policy and a drug prevention program.

### Policy:

ESF is committed to the development and maintenance of a drug-free environment and, in accordance with the Federal Drug-Free Workplace Act of 1988, and other applicable laws, rules and regulations, the College will not tolerate the unlawful possession or use of a controlled substance(s)\* and alcohol in and on its premises. The unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited in and on property owned by or under the control of the College (all ESF work locations). No employee will report for work or will work impaired by any substance, drug or alcohol, lawful or unlawful. “Impaired,” for the purposes of this policy, shall mean under the influence of a substance such that the employee’s work performance, senses or judgment either are affected, or there is reasonable suspicion that they are so affected.

### Procedures:

- A. Compliance with the provisions of this policy is a condition of employment at ESF.
- B. Employees who violate this policy will be subject to the disciplinary procedures provided by the collective bargaining agreements or such other corrective action as the President or the President’s designee may deem appropriate. Other corrective action may include satisfactory participation in an approved drug or alcohol rehabilitation program. Student employees will be subject to the judicial procedures specified in the “Rules and Regulations for Governing Student Conduct and Behavior” (revised January 2003).

\*The term “controlled substance” means a controlled substance in Schedule I through V of Section 202 of the Federal Controlled Substances Act (21 USC812). To assist you in understanding the policy, go to the following web site:

<http://www.deadiversion.usdoj.gov> and then click on “Controlled Substance Schedules”.



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- C. Any employee convicted of ANY CRIMINAL DRUG VIOLATION occurring in the workplace, or at a work site owned or controlled by ESF is required to give a signed written notice of the conviction to the Director of Human Resources no later than five (5) working days after such conviction.

The College will make a good faith effort to maintain a drug-free workplace. The effort will include drug awareness education programs, the Employee Assistance Program (EAP) to assist employees seeking treatment and rehabilitation programs, and the implementation and strict enforcement of this policy.

The Employee Assistance Program is available for employees who wish to seek assistance in dealing with drug or alcohol related problems. Please call the EAP Coordinator, at extension 6847, for information. Both the State and Research Foundation health insurance programs provide coverage for rehabilitation programs.

Questions concerning this policy should be referred to the Director of Human Resources.