



HUMAN RESOURCES POLICIES AND PROCEDURES

Area: Drug Policy	Number:	2020
Subject: Drug Policy	Issued:	7/2008
Applies To: Campus employees	Revised:	January 2010
Sources: Drug Free Workplace Act of 1988	Page(s):	1 of 3

Purpose

As a recipient of federal funds, Georgia Southern University supports and complies with the provisions of the Drug Free Schools and Communities Act Amendments of 1989 and the Drug Free Workplace Act of 1988. In order to receive federal financial assistance of any kind, these Acts require an institution of higher education to certify that it has adopted and implemented a program to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees. To comply with this legislation, Georgia Southern University hereby notifies all student and employees that the unlawful possession, manufacture, distribution, dispensation, or use of illicit drugs and alcohol on the university campus is prohibited.

Violations of these prohibitions by either employees or students will result in appropriate disciplinary penalties being imposed by the university. Appropriate disciplinary action will be consistent with University and Board of Regents policies and local, state and federal laws. Appropriate disciplinary penalties may include a range of action up to and including termination of employment, suspension, expulsion, and referral for prosecution.

In addition, the Drug Free Workplace Act of 1988 ensures that work done under federal contracts or federal grants is performed in a drug free work environment. In the discharge of its responsibilities as an employer, Georgia Southern aggressively promotes and requires a drug free work place among its faculty and staff. Georgia University actively encourages employees who feel they have a potential substance abuse problem to seek counseling and treatment. The Human Resources Office maintains a listing or referral agencies and has resources for drug education materials available upon request.

Policy

The University strictly prohibits the possession, manufacture, distribution, or use of illegal drugs or alcohol on campus. This policy extends to employees under federal contracts or grants as well as employees conducting University-related business off-campus. Employees who violate this policy will be subject to disciplinary action up to and including termination of employment and referral for prosecution.

1.0 Employee Obligations

- a) If an employee is arrested or convicted (including a plea of nolo contendere) for a violation occurring in the workplace, they must notify the Director of Human Resources in writing within five (5) calendar days. Appropriate disciplinary action will be taken within 30 days of notification. Employees under federal contract or grant who are convicted of any criminal drug violation must report the conviction in writing to the Director of Human Resources within 72 hours.

- b) Employees who feel they may have a substance abuse problem are encouraged to seek counseling and treatment. The Human Resources office can provide a list of referral agencies as well as drug education materials.

- c) Any employee supported by a federal grant or contract convicted of any violation of any criminal drugs statute must report that conviction in writing to the Chief Human Resources Officer within 72 hours of the conviction. Each employee engaged in the performance of a federal contract or grant will be provided with a copy of the Notification of Compliance. The University's Personnel Policies pertaining to faculty and staff personnel incorporate this policy. The policy is communicated to new faculty and new classified staff by the Division of Human Resources.

2.0 Sanctions

Faculty, staff and students are expected to adhere to the policies of the University and observe the basic standards of good conduct, meet appropriate standards of performance, and observe all local, state, and federal laws relative to unlawful use of illicit drugs and alcohol. Penalties for violations of these standards range from warnings and probation to expulsion, loss of academic credit, suspension or expulsion, and withdrawal of organization recognition, referral to the legal system for prosecution, demotion, and/or termination of employment. Detailed sanctions are defined to the Georgia Southern University Student Conduct Code: Policies and Procedures, Board of Regents Policy Manual, Personnel Policy and Procedures Manual, and Classified Employee Handbook.

For more information, call Human Resources at 478-5468.

3.0 High Risk Jobs

Employees working in high-risk jobs will be subject to random drug testing. Individuals employed by private organizations, which contract with the University, will also be subject to random drug testing as prescribed by their employer and consistent with this policy. Employees who refuse to submit to a drug test or test positive for the use of illegal drugs will be terminated. For purposes of this policy, a high-risk job is defined as one in which inattention to duty or errors in judgment can result in harm to employees or others.

High Risk – All P.O.S.T. certified law enforcement positions and all transportation positions requiring a CDL. Additionally, each institution shall have the responsibility of determining which positions on the campus is safety sensitive and are considered high risk in their impact to fellow employees and students. Examples of these positions may include, but are not limited to medical personnel, non-DOT regulated drivers, positions working with children under the age of thirteen (13) and positions working with toxic or hazardous chemicals or equipment.

Employees in "high-risk" jobs on a regular basis shall be subject to drug testing for evidence of use of illegal drugs in the following situations:

Pre-employment/Acceptance of High Risk Duties

The State of Georgia requires all state entities to conduct Pre-employment testing of applicants that:

- are regulated by the US department of Transportation and its operating authorities
- require certification under O.C.G.A. 35-8 (POST) and whose incumbents regularly perform high risk work
- have been identified by each appointing authority as performing duties that are considered high risk

Applicants for the above referenced high risk positions and employees who have not previously performed high risk duties shall be required to successfully complete drug testing prior to being placed in the high risk position.

Job notices/announcements/postings for positions that are subject to pre-employment testing should include a statement such as, "The applicant offered this position will be required to successfully complete a pre-employment drug test."

4.0 Random

The State of Georgia requires all state entities to conduct random testing of employees that:

- are regulated by the US department of Transportation and its operating authorities
- require certification under O.C.G.A. 35-8 (POST) and whose incumbents regularly perform high risk work
- have been identified by each appointing authority as performing duties are consider to be high risk
- All employees in the above referenced high risk positions shall be subject to random drug testing. The numbers of employees to be tested and the scheduling of employee selection shall be determined by the institutions Chief Human Resources Officer or his/her designee in accordance with applicable law and regulations.

5.0 Reasonable Suspicion

All employees are subject to testing in cases of reasonable suspicion, not just those in high risk positions. It is, however, extremely important that cases of reasonable suspicion are handled prudently to ensure that such testing does not result in unfair or illegal treatment of affected employees. As indicated in the section on reasonable suspicion, “the determination of reasonable suspicion shall be made by a supervisor or other official who is trained to make such determinations and the Chief Human Resources officer or institutional legal department.”

6.0 Post Accident

The State of Georgia requires all state entities to conduct post accident testing of employees that:

- are regulated by the US department of Transportation and its operating authorities
- have been identified by each appointing authority as performing duties that are considered high risk
- Because they are also considered high risk employees, the University System of Georgia requires post accident testing is conducted for POST certified employees.

Notification

Employees identified for drug testing under this policy shall be provided a specific date and time to report for testing; such date and time shall be as soon as possible, but not later than two (2) business days following the date the individual receives notification to report. Therefore, individuals should be notified to report at a time that takes into account when the testing location is open.



For additional information, on **Georgia Southern University's Drug Free School and Communities Act** please be sure to click the link below.

<http://jobs.georgiasouthern.edu/forms/Drug%20Free%20Workplace%20Act.pdf>