

SECTION: Compliance with Federal Law
SUBJECT: Drug-Free Workplace Policy
SOURCE REFERENCE: Board of Trustees Policy 613.01

NUMBER: E/1.2

Drug-Free Workplace Policy

In compliance with the drug-free workplace requirements of Public Law 100-690 for recipients of Federal contracts and grants, the following policy is in effect for Gadsden State Community College:

1. The unlawful manufacture, distribution, dispensation, or use of a controlled substance is prohibited by the College on any property owned, leased, or controlled by the College or during any activity conducted, sponsored, or authorized by or on behalf of the College. A "controlled substance" shall include any substance defined as a controlled substance in Section 102 of the Federal Controlled Substance Act (21 U.S. Code 802) or in the Alabama Uniform Controlled Substance Act (Code of Alabama, Section 20-2-1, et seq.).
2. Gadsden State Community College has and shall maintain a drug-free awareness program to inform employees about:
 - a. the danger of drug abuse in the workplace;
 - b. Gadsden State Community College's policy of maintaining a drug-free workplace;
 - c. any available drug counseling, rehabilitation, and employee assistance program; and
 - d. the penalties that may be imposed upon employees for drug abuse violations.
3. All employees of Gadsden State Community College shall comply with paragraph 1 above.
4. Any employee who is convicted by any Federal or state court of an offense which constitutes a violation of paragraph 1 above shall notify the President in writing of said conviction within five (5) days after the conviction occurs. Conviction, as defined in P.L. 100-690, shall mean "a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both."
5. In the event of a report of a conviction pursuant to paragraph 4 above where the employee is working in a project or a program funded through a Federal contract or grant, Gadsden State Community College shall notify in writing within ten (10) days any Federal agency to whom such notification by Gadsden State Community College is required under P.L. 100-690.
6. In the event an employee violates paragraph 1 above or receives a conviction as described in Paragraph 4 above, the respective employee shall be subject to appropriate disciplinary action which may include, but is not limited to, termination of employment. Gadsden State Community College shall also reserve the right to require said employee, as condition of continued employment, to satisfactorily complete a drug treatment or rehabilitation program of a reasonable duration and nature.
7. Gadsden State Community College shall make a good faith effort to ensure that paragraphs 1-6 above are followed.
8. Each employee of Gadsden State Community College shall receive a copy of this policy.

In conjunction with its Drug-Free Workplace Policy, the College also complies with the Omnibus Transportation Employees Testing Act of 1991. This act relates to those employees possessing or required to possess a Commercial Driver's License (CDL).

Any employee in or applicant for such a CDL position has special obligations to notify the College that he or she has recently or is currently using certain physician-prescribed drugs or other medication that may affect that person's test results and/or ability to perform his/her duties. Current CDL employees are

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subject to the following rules (*complete policy available in Human Resource Office*):

1. When Reasonable Suspicion to believe that they have used a controlled substance or have otherwise violated the substance abuse rules, they may be tested.
2. The College may conduct unannounced Random Testing.
3. When employees are involved in any accident resulting in injury or damage to College property, they must notify the Associate Dean of Enrollment and Retention and the Director of Physical Plant.
4. When employees return from substance-abuse rehabilitation, the College may require that they submit themselves to follow-up testing.
5. All affected employees may be required to undergo urinalysis as part of a recertification physical examination.

Drug Abuse Prevention Policy

Gadsden State Community College is committed to the maintenance of a drug-free environment for its employees and students. The College has in operation a drug abuse prevention program that is accessible to all officers, employees, and students. The Associate Dean of Enrollment and Retention is the contact person for the program.