

Drug-Free Workplace and Drug-Free College Policy

Policy Statement

Sinclair Community College recognizes that alcohol abuse and drug abuse pose a significant threat to the goals of Sinclair and that it is important that Sinclair maintain an alcohol and drug-free environment.

Scope and Applicability

This policy covers all full-time employees, part-time employees, student workers, applicants for employment, volunteers, interns, persons conducting business on the property of Sinclair, and all students or other participants in Sinclair programs.

This policy applies whenever anyone covered by the policy is representing or conducting business for Sinclair or engaged in activities as a Sinclair student or program participant. This policy applies during all working hours, while on call or paid standby, while on the property of Sinclair, while attending College-sponsored events, and while driving any vehicle owned by Sinclair.

Prohibited Behavior

Illegal Drugs

It is a violation of this policy for anyone covered by this policy to use, possess, sell, trade, and/or offer for sale illegal drugs or intoxicants.

Alcohol

It is a violation of this policy for anyone covered by this policy to use, possess, sell, trade, and/or offer for sale alcohol while they are at work or at a location or during times they are otherwise covered by this policy, except under the following circumstances.

Persons age twenty-one (21) or over who are attending an event held outside of their regular work hours, at which alcohol is being lawfully served, such as a banquet, fund-raising event, theater event, or conference may use alcohol.

Sinclair recognizes that in some countries outside the United States of America, cultural norms and host hospitality may include serving alcohol to persons under age twenty-one (21). For a Sinclair student or participant in a Sinclair program who is under age twenty-one (21) while travelling in a country outside the United States of America where the legal drinking age is less than twenty-one (21), use of alcohol may be acceptable only if it has been approved by the Sinclair employee responsible for the travel program and such approval has been disclosed in writing as part of the orientation for the travel program. The procedures for this approval and disclosure shall be set forth in Sinclair's policies and procedures for international travel.

Any person who chooses to use alcohol under either of these circumstances is expected to exercise good judgment and moderation in such use. At no time will inappropriate behavior relating to the alcohol use be tolerated. Any lawful and permissible use of alcohol under either of these circumstances shall not be interpreted to prohibit Sinclair from taking any disciplinary or other action against any person subject to this policy who engages in inappropriate behavior or violates any other policy, rule, or expectation of Sinclair.

Prescription and Over the Counter Drugs

It is a violation of this policy for anyone covered by this policy to engage in the illegal or unauthorized use of prescription drugs. The use of prescription and over-the-counter drugs is not prohibited when taken in standard dosage and, for prescription drugs, according to a physician's prescription.

If the use of a medication could compromise the safety of the person, or others, including the public, it is that person's responsibility to follow appropriate personnel or other procedures (e.g., call in sick, use leave, request change of duty, notify supervisor, notify Office of Human Resources) to avoid unsafe workplace practices.

Notification of Drug-Related Criminal Conviction

Any employee who is convicted of violating any federal, state, or local criminal drug statute must notify his or her supervisor and the Office of Human Resources in writing within five calendar days of the conviction.

Such a conviction will result in either the discipline of the employee, up to and including termination, or a requirement that the employee satisfactorily participate in and complete an approved substance abuse rehabilitation program.

Searches

Anyone suspected of violating this policy may be asked to submit to a search or inspection at any time.

Consequences

If an employee violates this policy, the employee may be disciplined, up to and including termination from employment.

If an applicant violates this policy, an offer of employment may be withdrawn; the applicant may be barred from reapplying for a specified period of time, and/or upon reapplication, the applicant may be required to successfully pass a pre-employment drug test.

If a student violates this policy, he or she may be disciplined in accordance with Sinclair's Student Code of Conduct, up to and including suspension or dismissal.

Return-to-Work Agreements

An employee who violates this policy may be offered an opportunity to participate in rehabilitation. In such a case, the employee must sign and abide by the terms set forth in a Return-to-Work Agreement as a condition of continued employment.

Drug/Alcohol Testing

Sinclair will not require any person, as a precondition to employment, continued employment, enrollment, or participation in any Sinclair program, to submit to substance abuse testing, except:

Where there is reasonable suspicion that the individual is currently abusing alcoholic beverages or drugs in violation of Sinclair policies;

Where a particular position has been determined by Sinclair to be of such a nature that risks of employee impairment must be reduced so as to require pre-employment substance abuse testing;

Where the employee or student has voluntarily agreed, in writing, to submit to substance abuse testing;

Where substance abuse testing is required by state, federal, or local law; or

Where substance abuse testing is mandated by rules or regulations of an outside organization as a condition for participation in activities controlled by such organization (e.g. athletic leagues).

No employee or agent of Sinclair may require any person to submit to any substance abuse testing as a precondition to employment, continued employment, enrollment, or participation in any program of Sinclair, unless expressly authorized by the Vice President for Organizational Development to do so. A request for such authorization will be limited to administrators, faculty, and supervisory personnel who have been trained in proper procedures for requesting substance abuse testing.

Assistance

Sinclair recognizes that in the case of alcohol and drug abuse and addiction early intervention and support improve the success of rehabilitation. To support employees, Sinclair:

Encourages employees to seek help if they are concerned that they or their family members may have a drug and/or alcohol problem.

Encourages employees to utilize the services of qualified professionals in the community to assess the seriousness of suspected drug or alcohol problems and identify appropriate sources of help.

Offers all employees and their family members assistance with alcohol and drug problems through the Employee Assistance Program (EAP).

Allows the use of accrued paid leave while seeking treatment for alcohol and other drug problems.

Treatment for alcoholism and/or other drug use disorders may be covered by the health care benefit plan available to Sinclair employees. However, ultimate financial responsibility for recommended treatment belongs to the employee.

Confidentiality

All information received by Sinclair through the drug-free workplace program will be kept confidential to the extent permitted by law. Access to this information is limited to those who have a legitimate need to know in compliance with relevant laws and management policies.

Communication

To ensure all employees are aware of their role in supporting the drug-free workplace program:

This policy will be posted on Sinclair's internet or intranet web sites.

All new employees will receive a written copy of this policy, and the policy will be reviewed in orientation sessions for new employees.

All employees will be sent a copy of this policy annually from the Office of Human Resources.

Information about the dangers of alcohol and drug use and the availability of help will be made available to all employees and students.