

WESTERN NEBRASKA COMMUNITY COLLEGE

Western Community College Area Board of Governors' Policy

TITLE:	Drug-Free Workplace
CATEGORY:	General Institutional
DIVISION:	Human Resources
REFERENCE:	PP-710 Implementation of Drug Free Workplace Procedure Anti-Drug Abuse Act of 1988; Drug-Free Workplace Act of 1988, 102, Stat. 4304; Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 812)
NUMBER:	BP-710
APPROVAL/DATE:	Julienne K. Walworth, President, WCCA Board of Governors Date: 8/15/2018

Purpose

It is the WCCA Board of Governors' and Western Nebraska Community College's (WNCC) responsibility to maintain a drug-free workplace environment strictly according to the terms and conditions of the Drug-Free Workplace Act of 1988. The College is obligated to provide a drug-free, safe, healthy, and secure workplace for employees.

Scope

This policy applies to all faculty, staff, and student employees. As a condition of employment, all employees must abide by the terms of this policy and must also report any criminal drug conviction within five (5) days after the conviction to their immediate supervisor. The College must notify any federal contracting agency under which the employee works within ten (10) days after receiving notice of such conviction. Employees who work under a federal contract must be provided with a copy of this policy statement. This includes any drug violation occurring on or off College premises while conducting College business.

Policy

The College prohibits the unlawful manufacture, distribution, dispensation, possession, or use of controlled substances on College property or while conducting College business off-premises. Any employee convicted of a criminal drug offense under the above conditions is subject to appropriate personnel action up to and including termination or satisfactory participation in a drug rehabilitation program.

The College does hereby establish drug-free awareness programs to be implemented through the President, which shall inform all employees about:

- 1) the dangers of drug abuse in the workplace;
- 2) the College's policy of maintaining a drug-free workplace;
- 3) drug counseling, rehabilitation, and employee assistance programs; and
- 4) appropriate personnel actions and penalties, which may be imposed for drug abuse violations.

Drug-Free Awareness Program

The College shall establish a drug-free awareness program which will inform all employees about this policy. The program will also inform employees about the dangers of drug abuse and about available drug counseling, rehabilitation, and employee assistance programs.

Definitions

Controlled substance: Definition as found in schedules I through V of section 202 of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 812).

Conviction: Finding of guilt (including a plea of nolo contendere), an imposition of sentence, or both, by a judicial body charged with the responsibility to determine violations of Federal or State criminal drug statutes.

Criminal drug statute: Addresses the manufacture, distribution, dispensation, use, or possession of a controlled substance.

Drug-free workplace: An entity:

- for the performance of work done in connection with a specific contract or grant described in section 8102 or 8103 of the Drug-Free Workplace Act; and
- at which employees of the entity are prohibited from engaging in the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance in accordance with the requirements of the Anti-Drug Abuse Act of 1988 (Public Law 100-690, 102 Stat. 4181).

Employee: Any individual employed by WNCC, regardless of classification or status, including student workers.

Procedures

The College President shall promulgate procedures which may be necessary to implement this policy.

Revising this Policy

This Board Policy supersedes any prior WNCC policy, procedure, guideline or handbook on this subject matter.

If statutory provisions, regulatory guidance, or court interpretations change or conflict with this Board Policy, the Board retains the right to revise accordingly and for the changes to take effect immediately.

Adoption Date and Board of Governors' Minutes Item Number: 10/18/1989 H(1)(b)

Revision Date and Board of Governors' Minutes Item Number: 8/15/2018 J(1)(a)

Prior Policy Number: 415.2300.89

Schedule for Review:

Divisions/Department Responsible for Review and Update: Human Resources

Sponsoring Division/Department: General Institutional

Repeal Date and Board of Governors' Minutes Item Number:

Cross Reference: Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 812)
Drug Free Workplace Act of 1988

Procedure(s) for Policy: PP-710, Implementation of Drug-Free Workplace Procedure