

WESTERN NEBRASKA COMMUNITY COLLEGE

President's Procedure

TITLE:	Implementation of Drug-Free Workplace
DIVISION:	Human Resources
CATEGORY:	Personnel
REFERENCE:	BP-710 Drug-Free Workplace Policy Anti-Drug Abuse Act of 1988; Drug-free Workplace Act of 1988; Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 812)
NUMBER:	PP-710
DATE OF REVIEW:	
APPROVAL:	President's Cabinet

Purpose

This procedure complies with the Drug-free Workplace Act of 1988 requiring an institution or organization receiving federal grants; or which allocates federal funds to individuals; or which contracts with a federal agency to certify that it will provide a drug-free workplace and to obtain certification from individuals receiving funds that they are not involved in drugs.

Scope

Applies to all WNCC employees.

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 and contractors or sub-contractors.

Procedure

Publication of Policy

The unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the workplace. Employees who violate this prohibition may be subjected to disciplinary actions up to and including termination. A copy of the Controlled Substance list may be found in the Human Resources Office or at 21 USC §812.

Drug-free Awareness Program

The College will establish a Drug-free Awareness Program to inform employees about:

- The dangers of drug abuse in the workplace;
- Available drug counseling, rehabilitation, and employee assistance programs; and
- The penalties, which may be imposed on employees for drug-abuse violations in the workplace.

Distribution of Policy Statement and Verification

The President will require that each employee personally receive a copy of the Drug-free Workplace Policy Statement, which is based on WCCA Board of Governors' Policy BP-xxx, Drug-Free Workplace, and that each employee sign an Employee Acknowledgment Form verifying receipt and acknowledging compliance as a condition of employment. In addition, each new employee will be required to sign the Employee Acknowledgment Form.

Violations

Upon notification from the employee pursuant to the policy, or actual notification from any other source that an employee has been convicted of violating any criminal drug statute in the workplace, the President or designee shall take the following steps:

- Within ten (10) days of receipt of notice of the conviction, send notification of such to appropriate federal agency(ies); and
- Within thirty (30) days of receipt of notice of any relevant conviction, take appropriate personnel action pursuant to Section 4 of the Drug-free Workplace Act of 1988.

Options:

- To impose penalties (corrective action under Board policy or state personnel rules up to and including termination); or
- To require the employee to satisfactorily participate in a drug abuse assistance or rehabilitation program approved by an appropriate federal, state, local, or other agency.

Certification to Federal Agencies

Individual Recipients

Students who receive grants from federal funds are required to complete the certification form provided by the federal agency, which is the funding source.

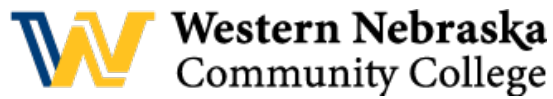
Institutional Certification-Campus Based Programs

Institutions who receive funds allocated for the Perkins Loan, College Work-Study, and Supplemental Educational Opportunity Grant programs, must complete the annual Certification Regarding Drug-free Workplace Requirements provided by the U.S. Department of Education.

Revising this Procedure

This President's Procedure supersedes any prior WNCC policy, procedure, guideline or handbook on this subject matter.

ATTACHMENT: Employee Acknowledgement Form, Drug-free Workplace Policy Statement



**EMPLOYEE ACKNOWLEDGMENT FORM
DRUG-FREE WORKPLACE POLICY STATEMENT**

Western Nebraska Community College

I, _____, an employee of Western Nebraska Community College, have received a copy of the Drug-free Workplace Policy Statement; and I agree to abide by the terms of the policy statement; and I agree to notify my supervisor if I am convicted of violating a criminal drug statute in the workplace no later than five (5) days after the date of such conviction.

Employee Name (Printed):

Department Employed By:

Signature:

Date:
