

**THE PURPOSE FOR POLICY DI(LOCAL) CHANGED AND
CONTENT MOVED TO DJ(LOCAL)**

**CONTENT HEREIN FOR DI(LOCAL) IS RELOCATED FROM
DO(LOCAL) WHICH IS BEING DELETED**

DRUG-FREE
WORKPLACE

Controlled substances are those defined in schedules I through V of section 1202 of the Controlled Substances Act (21 U.S.C. 812), and as further defined in the Texas Controlled Substances Act (Article 4476-15, Vernon's Texas Civil Statutes). Controlled substances include, but are not limited to, marijuana, hashish, heroin, cocaine, LSD, PCP, methamphetamine, anabolic steroids and human growth hormones, and fentanyl.

The College District prohibits the unlawful manufacture, distribution, dispensation, possession, sale, offer to sell, purchase, and/or use of controlled substances or alcohol in the workplace, including all College District campuses, teaching sites, vehicles, and other property owned, leased, or under the control of the College District, and at all on-campus and off-campus school-sponsored activities.

As a condition of employment, all employees (including faculty, staff, and student employees) shall be required to comply with the College District's policy to maintain a drug-free workplace. The College District shall distribute annually to all employees a statement outlining the drug-free workplace policy.

Employees who violate this policy shall be subject to discipline. Discipline may include, but is not limited to, referral to drug and alcohol counseling or rehabilitation programs, termination of employment, and referral to appropriate law enforcement officials for prosecution.

Persons who are not employees of the College District, but who perform work on-site for its benefit (such as contractors and their employees, visitors engaged in joint projects at the College District, and the like) shall be required to comply with this policy. Violation of this policy by such a person is likely to result in his or her being barred from the workplace even for a first offense.

DRUG-FREE
AWARENESS
PROGRAM

The College District shall maintain a drug-free environment and establish, as needed, a drug-free awareness program complying with federal requirements. [See DH] The program shall provide applicable information to employees in the following areas:

1. The dangers of drug use and abuse in the workplace.

2. The College District's policy of maintaining a drug-free environment. [See DI(LOCAL)]
3. Drug counseling, rehabilitation, and employee assistance programs that are available in the community, if any.
4. The penalties that may be imposed on employees for violation of drug use and abuse prohibitions.

VIOLATIONS
ARRESTS,
INDICTMENTS,
CONVICTIONS, AND
OTHER
ADJUDICATIONS

An employee (or designee, if the employee is incarcerated) shall notify his or her immediate supervisor through a written letter via certified (verifiable) e-mail or certified mail and sent/postmarked within three calendar days of any arrest, indictment, conviction, no contest or guilty plea, or other adjudication of the employee for violation of a criminal drug statute occurring in the workplace.

~~An employee who is convicted (including a plea of nolo contendere) of a criminal drug statute violation occurring in the workplace shall notify the College District of such conviction by informing the vice president of organizational effectiveness and human resources within five days after the conviction.~~

The following guidelines apply to the discipline of employees accused of substance or alcohol abuse and referral to a program for assessment and/or counseling and referral for treatment or rehabilitation, as appropriate:

1. Accusations shall be investigated and substantiated by the appropriate supervisor or vice president of organizational effectiveness and human resources or designee before disciplinary action can be initiated.
2. The employee has the right to respond to any accusation and to request that the response be made part of the employee's personnel record.
3. Referral to a voluntary treatment program shall not be considered admission of guilt nor be used as grounds for any personnel action.

EMPLOYEE
RESPONSIBILITY

All fees or charges associated with drug/alcohol abuse counseling or rehabilitation shall be the responsibility of the employee.