

**SNU Policy: Drug Free Workplace Compliance Program**  
**SNU Policy ID: Miscellaneous Policy**  
**Policy Reviewed by: Director of Human Resources**  
**Approval Authority: Vice President for Business and Finance**  
**Approval Date: September 19, 2018**  
**Next Review Date: September 19, 2023**

COMPLIANCE GUIDELINES DRUG-FREE WORKPLACE ACT OF 1988, Public Law (P.L. 100-690) states all federal contracts and grants that are over \$25,000.00, and written or revised after March 18, 1989 will contain language requiring the contractor to maintain an open "drug-free workplace".

#### **THE BASIC REQUIREMENTS**

To be eligible for contract awards or grants a contractor is required to certify to the contracting agency that it will:

#### **PUBLISH STATEMENT**

This published statement must:

- a. notify employees that unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited in the workplace; and
- b. specify actions that will be taken against employees for violation(s) of above.

#### **ESTABLISH A DRUG-FREE AWARENESS PROGRAM**

This program must inform each employee about:

- a. the dangers of drug abuse in the workplace;
- b. the company/entity policy of maintaining a drug-free workplace;
- c. information about abuse counseling, rehabilitation, or assistance programs for employees; and
- d. the penalties involved with violations of the drug-free program.

Effective March 18, 1989, the Drug-Free Workplace Act addresses any drug abuse in the workplaces of federal contractors and grant recipients. In response to the federal requirements for drug-free workplaces, and in keeping with Southern Nazarene University's concern for the health, safety, and welfare of its employees and students, SNU is instituting the following Drug-Free Workplace Policy. This policy certifies Southern Nazarene University's intent to maintain a drug-free campus. Section A of this policy prohibits the manufacture, distribution, sale, possession or use of a controlled substance on campus or at any University worksite.

Section B creates a Drug Awareness Program which will provide information to employees on the dangers of drug use and the available private community treatment facilities.

Section C of this policy lists the sanctions that employees will face for violations of Southern Nazarene University's Drug-Free Workplace Policy.

This policy also contains Section D, an employee acknowledgement statement, which must be signed and dated by each employee who receives, reads and understands the contents of this policy.

The Drug-Free Workplace Act requires Southern Nazarene University to notify each employee that, as a condition of employment, he/she must:

- Notify Southern Nazarene University of any conviction for a drug-related offense committed in the workplace, within five (5) days of the conviction.

Any employee violating this policy will be subject to disciplinary action, up to and including termination of employment.

### **SECTION A: PROHIBITIONS**

Southern Nazarene University's Drug-Free Workplace Policy prohibits employees from engaging in any of the following activities:

1. Use, possession, manufacture, distribution, dispensing or sale of illegal drugs on company premises or company business, in company supplied, owned or leased vehicles, or during working hours;
2. Unauthorized use or possession, or any manufacture, distribution, dispensing or sale of a controlled substance on company premises or while conducting company business or while in company supplied, owned or leased vehicles;
3. Storing in a locker, desk, automobile or other repository on the company premises or in company supplied, owned or leased vehicles or equipment any controlled substance whose use is unauthorized;
4. Being under the influence of a controlled substance on company property or while on company business, or while in company supplied, owned or leased vehicles or equipment;
5. Any possession, use, manufacture, distribution, dispensing or sale of illegal drugs off company premises which may adversely affect the individual's or others' work performance, his own or others' safety at work, or the company's regard or reputation in the business community or in the business or profession;
6. Failure to adhere to the requirements of any drug treatment or counseling program in which the employee is enrolled;
7. Failure to notify the company of any conviction under criminal drug statutes or regulations for a workplace offense within five (5) calendar days of the conviction; and
8. Refusal to sign the acknowledgement statement to abide by the company's Drug-Free Workplace Policy.

### **AUTHORIZED USE OF PRESCRIBED MEDICINE**

Any employee undergoing prescribed medical treatment with any drug which may alter his or her physical or mental ability must report this treatment to his or her supervisor. The supervisor will determine whether a temporary change in the employee's job assignment during the period of treatment is warranted and justified.

### **SECTION B: DRUG AWARENESS PROGRAM**

To help employees and their families understand and avoid the perils of drug abuse, Southern Nazarene University has developed what we believe to be a comprehensive Drug Awareness Program.

The University will use this program in an effort to prevent and eliminate drug abuse which may affect the workplace. The Drug Awareness program will inform employees about:

- (1) the dangers of drug abuse in the workplace;

- (2) our company's Drug-Free Workplace Policy;
- (3) the availability of treatment and counseling for employees who voluntarily seek such assistance; and
- (4) sanctions for violations of Southern Nazarene University's Drug- Free Workplace Policy.

Our employees are one of our most valuable resources. For that reason, their health, safety and welfare is an important concern. Any drug use which imperils the health, safety and well-being of our employees or students, will not be tolerated.

The use and/or abuse of illegal drugs and other controlled substances, on or off-duty is inconsistent with law-abiding behavior expected of all citizens. Employees who use and/or abuse illegal drugs or other controlled substances on or off duty tend to be less productive, less reliable, and prone to greater absenteeism. This, in turn, may result in increased costs, delays and risks. Drug use in the workplace puts the health, safety and welfare of the abuser and all other workers around him or her at increased risk. Our employees have the right to work in a safe and drug-free environment. Drug abuse inflicts a devastating toll on the nation's productive resources and the health, safety and well-being of American workers.

Early recognition and treatment of drug abuse is important for successful rehabilitation. Whenever feasible, we will assist employees in overcoming drug abuse by providing information on treatment opportunities and programs. However, the decision to seek diagnosis and to accept treatment is primarily the individual employee's responsibility.

Employees with drug abuse problems should request assistance from his or her supervisor or anyone in administration. The University will treat all such requests as confidential.

An employee's voluntary request for assistance may not, however, prevent disciplinary action for violation of Southern Nazarene University's Drug- Free Workplace Policy.

Southern Nazarene University is instituting a zero tolerance level program. Southern Nazarene University is committed to maintaining a safe workplace free from the influence of drugs. All employees and subcontractors are hereby notified that Southern Nazarene University will comply with the requirements of the Drug-Free Workplace Act of 1988 (P.L. 100-690) and all applicable regulations issued thereunder, as well as the more stringent rules promulgated by federal agencies when they are applicable.

#### **SECTION C: DISCIPLINARY ACTIONS FOR VIOLATING DRUG-FREE WORKPLACE POLICY**

1. Violation of Southern Nazarene University's Drug-Free Workplace Policy may result in disciplinary action, up to and including discharge, at the University's discretion.
2. In addition to any disciplinary action, the University may, in its sole discretion, refer the employee to a treatment and counseling program for drug abuse. Employees referred to such a program by the company must immediately cease any drug use, may be subject to periodic unannounced testing for a period of twenty-four months, and must comply with all other conditions of the treatment and counseling program. The University shall determine whether the employee it has referred for drug treatment and counseling should be temporarily reassigned for safety reasons to another position.

3. Southern Nazarene University will immediately terminate without review any employee who tests positive for drugs while undergoing treatment and counseling for drug abuse regardless of whether such treatment and counseling is voluntary or required by the company.

#### **SECTION D: NOTICE TO ALL PERSONNEL OF DISCIPLINARY POLICY**

This is a formal notice of Southern Nazarene University's intention to take disciplinary action up to and including termination against any employee who violates the Southern Nazarene University's Drug-Free Workplace Policy.

Southern Nazarene University's Drug-Free Work Policy prohibits the use, sale, distribution, manufacture or possession of all controlled substances, as listed in Schedules I through V of Section 202 of the Controlled Substances Act (21U.S.C. 812). University policy also prohibits the performance of work or presence on/in any company building, facility, equipment, vehicle, job or work area/site while under the influence of a controlled substance.

Despite the passage of Oklahoma State Question 788 (medical marijuana), the possession or use of marijuana remains a crime under federal law. Southern Nazarene University must comply with federal laws regarding the prohibition of illegal drugs on its campus and in its programs to protect its federal funding. Federal laws that prohibit illegal drug use on campus include the Drug-Free Workplace Act and the Drug-Free Schools and Communities Act. Therefore, SNU Drug Free Workplace Act Compliance Program, which prohibits the possession and use of marijuana, remains in effect. Likewise, employees are prohibited from reporting to work while impaired by the use of marijuana.

Other, legally prescribed drugs may be permitted on University premises or work locations, provided the University is informed of their use and the drugs are contained in the original prescription container and their use is prescribed by an authorized medical practitioner for the current use of the person in possession. The company reserves the right to reassign any employee using prescription medicine to other duties for safety reasons.

Employees requesting a reasonable accommodation under Section 504 of the Rehabilitation Act and/or the Americans with Disabilities Amendments Act of 2008 as provided in the [Americans with Disabilities Policy](#) are invited to contact the Director of Human Resources, who serves as the University's ADA Coordinator, at 405-491-6333. Employees in need of medical leave under the [Family Medical Leave Act](#) should contact the Benefits Coordinator, at 405-789-6400 extension 6434.

Violations of the University policy can subject the employee to disciplinary actions up to and including immediate termination.