

3358:11-5-12 Drug-free workplace and alcohol prevention policy.

- (A) Purpose. Pursuant to the ~~Drug-free~~ Drug-free Workplace Act of 1988, Owens community college is a ~~drug-free~~ drug-free workplace. Accordingly, unlawful activities are prohibited, which include but are not limited to: the possession, use, manufacture, distribution, and/or dispensation of a controlled substance on college-owned or college-controlled property.
- (B) Application.
- (1) This rule applies to all campuses, any location where college activity takes place, ~~satellite locations~~ and property owned or controlled by the college and includes college vehicles and buses.
 - (2) This rule applies to all employees as well as contractors.
 - (3) This rule applies while working or participating in college-related activities, ~~during work hours, on or off college property~~.
- (C) Compliance. Compliance with the provisions of this rule shall be a condition of employment at Owens community college. If any employee of the college engages in any activities prohibited by this rule, that employee will be subject to disciplinary action by the college which may include termination of employment, and/or referral for prosecution.
- (D) Discipline. As referenced in the procedures for rule 3358:11-5-52 of the Administrative Code (standards of conduct and disciplinary procedures), conduct involving prohibited activities shall be subject to disciplinary or remedial action, ~~which may depend on a variety of factors, including the severity of the work rule violation, the pattern or frequency of an observed substance-related problem, past work record or any other consideration as considered relevant by college administration.~~ When such conduct occurs, ~~including when it affects the position responsibilities or the services or reputation of the college, the supervisor, in conjunction with human resources, may impose progressive discipline, suspension or termination, as promulgated under this rule and rule 3358:11-5-52 of the Administrative Code (standards of conduct and disciplinary procedures).~~

- (E) Notification. Federal law requires that employees notify the college of any criminal drug statute conviction involving a violation occurring at the workplace or in the course of employment within five calendar days after such conviction. Such notice should be given in writing to the vice president of administration. This notice requirement is a condition of employment. The college, in turn, is required by law to relay said information to the appropriate federal authorities.

Upon notification of any criminal drug statute conviction for a violation occurring at the workplace or in the course of employment, the college, within thirty calendar days of such notification, is required by federal law to either:

- (1) Take appropriate disciplinary action against such employee, which may include termination of employment; or
 - (2) Require such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state or local health, law enforcement or other appropriate agency.
 - (a) The details of the selected method of treatment or any related medical condition will be kept confidential and maintained in a separate medical file apart from the employee's regular personnel file.
 - (b) As a condition of returning to work, the employee must present a release from the physician or medical provider stating, that the employee is fit to return either with a restriction (including detailed restriction(s) and length of time in place) or without restriction including the date of return. An employee attempting to return to work without the required documentation will be sent home.
- (F) Drug and alcohol abuse prevention program resources. Owens provides drug and alcohol abuse prevention program resources regarding the use of drugs or alcohol and the dangers associated with such use.
- (1) The employee assistance program provides referrals to off-campus, community-based rehabilitation and drug counseling programs.

- (2) Drug awareness and alcohol prevention information may be made available to ~~students and~~ employees.
- (G) The chief student affairs officer or designee will initiate a ~~A~~ biennial review of the drug and alcohol prevention program ~~will be conducted~~ to determine the effectiveness of the drug and alcohol abuse prevention program.
- (H) Implementation. The vice president of administration will implement the provisions of this rule.

Effective: 2/12/2021

CERTIFIED ELECTRONICALLY

Certification

02/02/2021

Date

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