



Drug-Free Workplace Policy Statement *Revised August 24, 2017*

Effective March 18, 1989, the federal Drug-Free Workplace Act of 1988 required Muhlenberg College and other employers who contract with, or receive grants from, federal agencies to certify that certain requirements are met for providing a drug-free workplace.

Muhlenberg College complies with this act in the following ways:

Section I – General Policy Statement

The unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited at Muhlenberg College. Any employee or student violating this rule will experience disciplinary action. The College reserves the right to contact both state and federal offices charged with enforcing state and federal laws.

Off-the-job illegal drug use which could adversely affect an employee's job performance or could jeopardize the safety of others may result in disciplinary action, up to and including termination of employment. Employees undergoing prescribed medical treatment with a legal drug that may impair job performance should report this treatment to the Vice President of Human Resources. In appropriate cases, certain job accommodations may be necessary for the safety of the employee, students, the public and fellow employees. Failure to disclose such treatment where it may create a direct threat of harm may result in disciplinary action up to and including termination of employment. The use or possession of alcohol during the work day and reporting to work under the influence of alcohol are also violations of Muhlenberg College's policy.

Section II – Employee Testing

Employees injured on-the-job who require medical attention will be subject to post-accident drug and alcohol screening.

If there is reasonable suspicion, circumstances or employee behavior indicating alcohol or drug use, drug and/or alcohol testing of the employee may be required. Circumstances include direct observation of alcohol or other drug use and/or physical symptom of being under the influence; a pattern of abnormal conduct, incoherent mental state, or erratic behavior that is otherwise unexplained; arrest or conviction for a drug-related offense, or other actions or conduct that provide reasonable suspicion that the employee may be under the influence.

Section III – College Employees

Any employee violating this rule will experience disciplinary action which could include termination of employment.

One or more of the following sanctions will be imposed for violation of these rules:

- a. Required counseling and participation in a drug abuse assistance or rehabilitation program, the cost to be paid by the employee.
- b. Required counseling and suspension from work. Any subsequent violation will result in suspension from employment for a period to be determined at the time of suspension.
- c. Dismissal from employment.

As a condition of employment, employees must abide by the terms of these requirements and must report to the Vice President of Human Resources, no later than five days after the conviction, that he or she has been convicted or has pleaded guilty or nolo contendere (no contest) under a criminal drug statute for conduct in the workplace.

Student Health Services and Human Resources Office staff will conduct awareness programs to inform employees of the dangers of drug abuse, the College's drug free workplace policy, available drug counseling, rehabilitation and other employee referral programs, and the penalties/sanctions that may be imposed on employees for drug abuse violations.

The College will notify the appropriate government contracting or granting agency within 10 days after receiving notice of an employee's criminal drug statute conviction for conduct in the workplace. Within 30 days, an employee so convicted will be subjected to sanctions as stated above.

The College offers an Employee Assistance Program through the Director, Counseling Services. Additionally, the Director of Counseling/Substance Abuse Professional and the Vice President of Human Resources are prepared to confidentially handle referrals to appropriate programs for employees who seek assistance with drug and alcohol counseling and rehabilitation. Further, the health insurance plan offered by the College to full-time employees provides for the treatment of drug abuse in a participating substance abuse treatment facility.

Section IV – Students

A student who violates the general policy statement of Section I will experience disciplinary actions up to and including expulsion.

One or more of the following sanctions will be imposed for violation of these rules:

- a. Required counseling and participation in a drug assistance program or rehabilitation program, at the expense of the student.
- b. Disciplinary probation, suspension, or expulsion as determined under the Social Judicial System of the College and as outlined in the College Student Handbook.

Attention is called to the Policy on Use of Drugs in the Muhlenberg College Student Handbook.

Effective September, 1989, court judges are permitted to suspend a student's eligibility for federal aid for one year if the student is convicted once of drug possession. For subsequent convictions, eligibility may be denied for up to five years. By declaring themselves addicts and entering a long-term treatment program, students can lessen penalties. Students convicted of drug dealings are subject to more severe sanctions.

The Department of Education requires student recipients of Pell grants to sign drug-free certifications.

Student Health Services and Dean of Students Staff periodically conduct drug free awareness programs to inform students of the dangers of drug abuse, and provide information about the College's drug free workplace policy, any available drug counseling, rehabilitation, and other assistance programs, and the penalties/sanctions that may be imposed on students for drug abuse violations.

The College will notify the appropriate government contracting or granting agency within 10 days after receiving notice of a student's criminal drug statute conviction for conduct on campus. Within 30 days, a student so convicted will be subject to sanctions as stated above.

The College does not sponsor a formal assistance program for students. However, the Dean of Students and the Director of Counseling/Substance Abuse Professional are prepared to confidentially refer students to outside programs as they seek assistance with drug counseling and rehabilitation.