

Essex County College College Regulation

REG 4-17 DRUG AND ALCOHOL-FREE WORKPLACE POLICY

Purpose:

To maintain a drug and alcohol-free workplace and comply with the requirements of the Drug-Free Workplace Act of 1998 and any subsequent amendments, as well as applicable Federal and State cannabis laws and regulations.

Definition(s):

Controlled Substances: Drugs or substances as defined by the Drug-Free Workplace Act of 1998 and the New Jersey Dangerous Substances Law, and which include narcotics, opiates, cannabis, hallucinogens, depressants, stimulants; and any drugs, substances or compounds, whose use, possession, or transfer are restricted or prohibited by law.

Intoxicating/Alcoholic Beverages: Any fluid, or solid capable of being converted into a fluid, having an alcohol content of more than one-half of one per centum (1/2 of 1%) by volume, including but not limited to alcohol, beer, wine, and distilled liquors.

Application:

Essex County College prohibits the possession, use, dispensation, distribution, or manufacture of controlled substances and intoxicating/alcoholic beverages on College premises or work sites.

The College shall take whatever measures deemed appropriate and necessary to maintain a drug and alcohol-free workplace.

Employees with drug and/or alcohol problems are encouraged to seek assistance from the Employee Assistance Program (EAP) designated personnel and/or third-party service.

1. EDUCATIONAL COMPONENT

The College's EAP shall, provide periodic information to faculty, staff and student employees regarding the College's DRUG AND ALCOHOL-FREE WORKPLACE POLICY, the dangers of drug and alcohol abuse on campus and in the workplace, the availability of drug and/or alcohol abuse counseling and rehabilitation referrals, and penalties for violation(s) of the policy.

2. PREVENTIVE COMPONENT

The College's EAP shall, to the extent feasible, provide the workforce continuing awareness programs concerning the harmful effects of drug and alcohol abuse.

3. MANAGEMENT COMPONENT

- (a) Employees shall be provided with the College's DRUG AND ALCOHOL-FREE WORKPLACE POLICY, and notified of penalties for violation(s) thereof; the dangers of drug and alcohol abuse in the workplace and the availability of counseling and assistance for those in need of such help.

- (b) To ensure compliance with applicable laws, regulations, and requirements, reasonable suspicion screening may be conducted to determine if an employee is under the influence of alcohol or drugs that could adversely affect the employee's job performance.
- (c) Employees shall be advised that, as a condition of employment:
 - i. They must abide by the terms of the policy.
 - ii. That, if convicted of any criminal drug statute violation under federal, state or local law, who accepts a plea to a lesser offense, pleads guilty, or pleads nolo contendere (i.e., no contest) to such charges must inform the college in writing within five (5) days of the conviction or plea. Failure to do so shall result in disciplinary action, including termination from employment for a first offense.
 - iii. That, any conviction of a grant-supported employee shall be reported to the applicable funding agency, if required by the grant or funding agency, within ten (10) days of receiving such notice of conviction.
- (d) Any employee who violates this regulation shall be subject to disciplinary action including but not limited to suspension, satisfactory completion of a drug abuse assistance or rehabilitation program, or discharge.

Responsible Official(s): Human Resources	Reference: U.S.C. SEC. 701 et seq. N.J.S.A. 18A:64A-12(o)
Regulation History: App. 11/95, Rev. 10/01, 12/10, 3/17, 04/23	Attachment(s):