

## POLICIES AND PROCEDURES

Subject: Policy on Drug-Free Workplace Reference: E-XXV

Source: Board of Trustees Eff. Date: November 26, 2007

Approval Auth.: Board of Trustees Approved: \_\_\_\_\_

Remarks: Replaces previous policy dated June 29, 2004

Date: November 26, 2007

In order to provide a safe and healthful workplace, McLennan Community College shall maintain a drug-free workplace for all of its employees. MCC prohibits the unlawful manufacture, distribution, dispensation, possession, or use of controlled substances, illegal drugs, inhalants, and alcohol\*\* in the workplace. 41 U.S.C. 702(a)(1)(A); 28 TAC 169.2.

MCC shall establish a drug-free awareness program to inform employees about (1) the dangers of drug abuse in the workplace; (2) MCC's policy of maintaining a drug-free workplace; (3) any available drug counseling, rehabilitation, and employee assistance abuse programs; and (4) the penalties that may be imposed upon employees for drug abuse violations. 41 U.S.C. 702(a)(1)(B); 28 TAC 169.2

### Penalties for Non-Compliance

Employees who violate this policy shall be subject to disciplinary sanctions. Such sanctions may include referral to drug and alcohol counseling or rehabilitation programs or employee assistance programs, termination from employment with MCC, and referral to appropriate law enforcement officials for prosecution. 41 U.S.C. 702(a)(1)(A); 28 TAC 169.2

Compliance with these requirements and prohibitions is mandatory and is a condition of employment. As a further condition of employment, an employee shall notify the College President of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction. Within ten days of receiving such notice-from the employee or any other source-MCC shall notify the granting agency of the conviction. 41 U.S.C. 702(a)(1)(D), (E)

Within 30 calendar days of receiving notice from an employee of a conviction for any drug statute violation occurring in the workplace, MCC shall either (1) take appropriate personnel action against the employee, up to and including termination of employment, or (2) require the employee to participate

satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health agency, law enforcement agency, or other appropriate agency. 41 U.S.C. 703

[This notice complies with notice requirements imposed by the federal Drug-Free Workplace Act (41 U.S.C. 702) and notice requirements imposed by the Texas Workers' Compensation Commission rules at 28 TAC 169.2.]

#### Drug-Free Awareness

The attached exhibits can be found at the corresponding websites and are required for distribution/availability to all college employees. In compliance with the Drug-Free Schools and Communities Act requirements, these exhibits include information on the legal penalties for possession and use of illicit drugs, and the associated health risks.

#### SOURCES FOR INFORMATION ON ILLEGAL DRUGS

##### Commonly Abused Drugs

<http://www.nida.nih.gov/drugsofabuse.html>

##### Federal Trafficking Penalties

<http://www.usdoj.gov/dea/briefingbook/page10-11.htm>

##### Comparative Pharmacological Profiles of Abused Drugs

<http://www.tcada.state.tx.us/research/compare98.pdf>

\*\* Upon approval by the President, alcoholic beverages may be served at the Bosque River Stage, The Northwood House at McLennan Community College, The Conference Center at MCC, McLennan House and Gardens, Highlander Ranch and other designated areas, and subject to all Federal, State and local laws and regulations regarding possession, use and sale of alcoholic beverages. This policy does not apply to leased residential facilities and the Art Center.