SECTION: HUMAN RESOURCES
AREA: EMPLOYEE RELATIONS
SUBJECT: DRUG FREE WORKPLACE

PURPOSE

To promote a drug-free workplace and campus and to provide opportunities for rehabilitation and assistance for employees and students with substance dependency conditions in accordance with the Drug Free Workplace Act and the Drug Free Schools and Campuses Act.

SCOPE

This policy applies to all members of the UAMS Workforce.

DEFINITIONS

UAMS Workforce means for the purpose of this Policy, physicians, employees, volunteers, resident/fellows, students and other persons whose conduct, in the performance of work for UAMS, is under the direct control of UAMS, whether or not they are paid by UAMS.

Workplace means all UAMS campuses, facilities, property and leased spaces.

POLICY

It is the goal of UAMS to maintain a workplace that is free from the illegal use, possession or distribution of controlled substances. Unlawful possession, manufacturing, use, sale or distribution of controlled or illegal substances by students or members of the UAMS workforce in the workplace or while on UAMS business is prohibited. In addition, students and members of the UAMS workforce shall not use illegal substances or abuse legal substances in a manner that impairs performance of assigned work or classroom activities. UAMS employees are subject to drug testing in accordance with the Drug Testing Policy, Admin. Guide 3.1.14, which provides for pre-employment, random and for-cause drug testing.

This policy is not intended to preclude the *medical* or *research* use of alcohol or controlled substances.

PROCEDURE

1. Orientation: The Office of Human Resources will provide all new employees with the UAMS Drug-Free Awareness Statement at orientation. Each employee will be required to sign the statement during orientation. The Office of Human Resources is responsible for collection and retention of all signed statements. New students will be provided information regarding this policy at registration.

2. Annual Notification: Employees and students will be provided information about the UAMS Substance Abuse Policy; a clear statement that disciplinary sanctions will be imposed for policy violations and a description of such sanctions, up to and including expulsion or termination of employment and referral for prosecution; a list of applicable legal sanctions under federal, state, or local laws for the unlawful possession or distribution of illicit drugs and alcohol; health risks associated with substance abuse; and available counseling, treatment and rehabilitation programs on an annual basis. Information about UAMS' commitment to a drug-free workplace and resources for substance dependency assistance is available at: http://inside.uams.edu/drug-free-campus-program/.

3. Grant Funded Employees: The Office of Research and Sponsored Programs (ORSP) is responsible for certifying UAMS as a drug-free workplace. UAMS employees directly engaged in the performance of a federal contract or grant shall abide by this policy as a condition of employment and shall notify their supervisor and ORSP within five calendar days if they are convicted of any criminal drug statute violation occurring in the workplace or while on UAMS business. ORSP is responsible for notifying the appropriate federal contracting or granting agency within ten calendar days of receiving notice of such conviction.

4. Assistance: UAMS recognizes drug and alcohol dependency as treatable conditions and offers support programs for UAMS employees and students with substance dependency conditions through the UAMS Employee Assistance Program (EAP) or Student/Employee Health Services (SEHS). Any information obtained by UAMS about employees or students who seek such services shall be maintained as strictly confidential in accordance with Federal laws and regulations.

5. Penalties: Individuals who seek help through EAP or SEHS will not be penalized for seeking such help but may be subject to appropriate disciplinary procedures, up to and including termination or expulsion, for reporting to work or school in an impaired state due to substance abuse or for performance issues that result from such impairment.

6. Mandatory Reporting: Termination or voluntary resignation of a professionally licensed employee for diversion, misuse or abuse of illicit drugs or controlled substances will be reported to the individual's licensing authority within seven days of the action as required by law. Termination or voluntary resignation of a non-licensed employee for diversion of a controlled substance will be reported to law enforcement. However, information learned or maintained in connection with a drug or alcohol treatment program or by a healthcare professional in the course of providing healthcare services to an individual is exempt from reporting. Further, the duty to report under this policy does not require disclosure of records or communications that are privileged under state quality improvement or peer review laws.

7. Individual college may have additional procedures outlined in the college handbook for students with substance dependency conditions.

8. Sanctions: Any UAMS employee or student who violates this policy is subject to discipline up to and including termination or expulsion; and may be subject to criminal sanctions as provided by federal, state and local law. For more information regarding criminal sanctions, see http://intranet.uams.edu/drugfreecampus/

9. Biennial Review: The Drug Free Workplace Committee will meet during even years to determine program and policy effectiveness, identify any needed changes, and ensure the disciplinary sanctions for violating UAMS policies are enforced consistently.

REFERENCES

Arkansas Substance Abuse Reporting Act, Ark. Code Ann. 17-80-117 *et seq.*
Drug-Free Workplace Act of 1988
Drug-Free Schools and Communities Act Amendments of 1989
UAMS Administrative Guide Policy 3.1.14, Drug and Alcohol Testing Policy

Signature:

Date: April 4, 2016