TITLE: **DRUG FREE WORKPLACE**

DATE(S) OF POLICY AND POLICY REVISION APPROVALS:  **April 25, 2023; December 17, 2019, August 4, 2009; April 14, 2009**

In compliance with the Drug-Free Workplace Act of 1988, Luzerne County Community College certifies that the requirements for providing a "drug-free workplace" have been established and will be enforced.   The College prohibits the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance, including alcohol, in the workplace.  Additionally, while the College respects the privacy of its employees, it also recognizes that it has an obligation to maintain a drug/alcohol free workplace because substance abuse can have a harmful effect on the learning and work environment.  Therefore, employees are expected to report for work physically and mentally able to perform their essential functions safely and effectively.  Compliance with this requirement is an essential job qualification for all faculty and staff.  Violation of this policy may result in appropriate disciplinary action up to and including termination in accordance with relevant College policy and procedure and/or collective bargaining unit agreements.

The College’s Employee Assistance Program (EAP) provides professional counseling and rehabilitation programs for eligible staff that are in need of these services due to substance abuse. As a condition of employment/continuing employment, all staff must abide by the provisions of this policy. Staff employed under the terms of a grant must notify the College of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction. The College will notify the contracting or granting agency within ten (10) days after receiving notice from an employee or from an outside agency of an employee's criminal drug statute conviction for conduct in the workplace.  Within thirty (30) days of receiving notification of an employee's drug statute conviction, the College will initiate appropriate personnel actions which may include imposing a sanction or requiring the satisfactory participation in a drug abuse assistance or rehabilitation program through the EAP or another approved agency.

The specific exceptions for permitted alcohol usage relate to the following circumstances:

Educational Purposes:

Alcohol may be used in the classroom for educational purposes and with the express written consent of the Vice President of Academic Affairs and the College President. Additionally, consent will not be given for such use unless the course description reflects alcohol usage for educational purposes prior to the first scheduled class.

Special Circumstances:

Alcohol may be used for special circumstances with the written consent of the College President. A request must be made in writing at least one (1) month prior to the event. Determinations of special circumstances will be made by the President on a case-by-case basis, with a specific reservation of right to deny any request. Where a determination has been made by the President that special circumstances do exist, the Director of Purchasing will be instructed to obtain a 1-day Special Event policy to cover liquor liability. Alcohol consumption shall still be governed by all regulations and laws related to alcohol consumption.

The College prohibits the use, possession, or distribution on college properties or at college sponsored or supervised functions of controlled or dangerous drugs or substances as defined by state and/or federal law, except as expressly permitted by law. Further, members of the College community may not at any time be intoxicated on college property or at a college sponsored or supervised function.