

DRUG-FREE WORKPLACE

BCC POLICY NUMBER 5.03

SOURCE, REFERENCE: 1C SBCC 200.94 (3)

REVISION RESPONSIBILITY: EXECUTIVE VICE PRESIDENT

COMMENTS: N/A

POLICY:

It is the policy of Bladen Community College to create a drug-free workplace in keeping with the spirit and intent of the Drug-Free Workplace Act of 1988. The abuse of controlled substances is inconsistent with the behavior expected of employees, subjects all employees and visitors to college facilities to unacceptable health and safety risks and consequences, and undermines BCC's ability to operate effectively and efficiently. Therefore, the unlawful manufacture, distribution, dispensation, consumption, possession, sale, or use of a controlled substance in the workplace or while engaged in Bladen Community College business off premises is strictly prohibited. Such conduct is also prohibited during non-working hours to the extent that it impairs an employee's ability to perform on the job, poses a health or safety risk to employees or visitors to campus, or threatens the reputation or integrity of the college. BCC reserves the right to take appropriate disciplinary actions against employees who violate this policy either on or off premises, and to report for criminal prosecution any non-employee in violation of this policy.

Scope of Application

This policy applies to all employees, regardless of employment status, all applicants for employment, and all visitors to any of the college's campuses. This policy applies during all working hours, during lunch or other break periods, while operating college owned vehicles or equipment on college premises, or any hour during which a non-college employee is on any college campus.

Definition of Controlled Substance

For the purposes of this policy, a "*controlled substance*" is defined as any substance whose use or possession is controlled by federal or state law but is not being used or possessed under the supervision of a licensed health care professional; and/or, is being abused by consumption inconsistent with its prescription. Controlled substances are listed in Schedules I - IV of 21 C.F.R. Part 1308; and all illegal drugs defined under Article 20 of Chapter 95 of the North Carolina General Statutes. Also included are any other drugs that are or may become illegal under federal, state or local law; legal drugs that have been obtained illegally or are not being taken as prescribed by a licensed health care provider; and, substances that are not intended for human consumption.

Work Place Rules

The following rules apply to and in the work place:

1. Whenever employees are working, are operating any college vehicle, are present on the college premises or are conducting college-related work offsite, they are prohibited from:
 - a. Using, possessing, buying, selling, manufacturing or dispensing an illegal drug (to include possession of drug paraphernalia).
 - b. Being under the influence of alcohol or an illegal drug as defined in this policy.
 - c. Possessing or consuming alcohol.
 - d. Distributing or selling prescription drugs.

2. The presence of any detectable amount of any illegal drug or illegal controlled substance in an employee's body system, while performing college business or while in a college facility, is prohibited.

3. Bladen Community College will also not allow employees to perform their duties while taking prescribed drugs that are adversely affecting their ability to safely and effectively perform their job duties. It is the employees' responsibility to use appropriate personnel procedures and options (sick leave, notifying supervisor, etc.) if any use of legally prescribed drugs or medications presents a safety risk to themselves or any other employee or student at the college. Employees taking a prescribed medication must carry it in the container labeled by a licensed pharmacist or be prepared to produce it if requested

4. Any illegal drug(s) or drug paraphernalia will be turned over to an appropriate law enforcement agency and may result in criminal prosecution.

Pre-Employment Testing

All applicants for employment may be asked to pass a drug test before beginning work or receiving an offer of employment. Refusal to submit to testing will result in disqualification for the current job offer and for further employment consideration for a period of 6 months.

Facility Inspections

The college reserves the right to inspect all portions of its premises for drugs, alcohol or other contraband. All employees, contract employees and visitors may be asked to cooperate in inspections of their persons, work areas and property that might conceal a drug, alcohol or other contraband. Employees who possess such contraband or refuse to cooperate in such inspections are subject to appropriate discipline, up to and including dismissal.

Consequences of Violation

Employees, non-employees or visitors to campus in violation of this policy may face a variety of consequences. All employees convicted of, who plead guilty to, or are sentenced for a crime related to controlled substance-related violations in the workplace, including pleas of nolo contendere (i.e., no contest), must inform the college human resource director within five (5) days of such conviction, plea or sentencing. Employees who are convicted under any federal or state drug statute will face disciplinary action, as provided for under the Drug-Free Workplace Act of 1988. Any employee who violates any aspect of this policy may be subject to additional disciplinary action, up to and including termination.

At its discretion under its disciplinary authority, Bladen Community College may require employees who violate this policy to successfully complete a drug abuse counseling assistance or rehabilitation program as a condition of continued employment.

Non-employees and visitors to any college campus who violate this policy will be reported to local law enforcement authorities and not allowed back on campus until disposition of any charges has been concluded. Only at that that point will the college consider allowing said person(s) to return to campus. BCC reserves the right to refuse any person's presence on any of its campuses who violate this policy.

FORMS: IN HUMAN RESOURCES

Approved by the Board of Trustees – 07/01/2007

Revised and Approved by the Board of Trustees - 11/28/2017, effective 01/01/2018