

TITLE: Drug-Free Workplace and Campus
DATE ADOPTED: March 16, 2021
EFFECTIVE DATE: March 16, 2021
SUPERSEDES: February 20, 1990

PURPOSE:

1. It is an objective of Rowan College at Burlington County to provide a safe, drug-free environment for members of the College community and to comply with the provisions of the Drug-Free Workplace Act and other applicable laws. Receipt of federal grant funds is conditioned upon the agreement of the College to comply with federal law; failure to do so may result in a grant award being suspended or terminated and could result in the debarment of the College from receiving any federal grant funding.
2. This policy is designed to promote a safe and drug-free workplace in order to help protect the health and safety of the members of the college community, provide assistance to employees and students who come forward and identify themselves as suffering from drug dependency and/or abuse, and to properly safeguard the assets and interests of the College.
3. The abuse of drugs in the workplace, among other things, can reduce job efficiency, increase absenteeism and use of sick leave, and most importantly jeopardize the safety and lives of members of the College community. Drug abuse can cause serious harm to the body and the mind. Abusing drugs may result in overdose, dependency, ill health, and/or accidents. Individuals who abuse drugs may also face legal, economic, and/or personal problems.

DISCLAIMER:

1. This policy is designed to provide the College Board of Trustees and its authorized agents a set of guidelines.
2. It is not intended to nor should it be construed as creating any enforceable rights in employees. It is not in any way intended as nor should it be construed as an expressed or implied contractual promise, commitment or contract of any type.

PROHIBITED CONDUCT:

1. The College prohibits the unlawful manufacture, distribution, dispensation, sale, possession or use of a controlled substance while in the workplace or while on College business regardless of where such business is conducted. The term workplace includes College owned, leased, rented, borrowed, or any type whatsoever property. It further includes any field location or site at which an employee is engaged, or authorized to engage, in work activity, and includes any travel between such sites.
2. The College prohibits members of the College community from being present on College property or conducting College business as indicated in paragraph 1 above while under the influence of a controlled substance.
3. The College discourages the abuse of prescription and over-the-counter drugs.

CORRECTIVE ACTIONS AND DISCIPLINARY ACTIONS FOR VIOLATORS OF THIS POLICY:

1. The actions listed herein are in addition to any other applicable civil or criminal penalty.
2. Forfeiture of Public Employment:

The State forfeiture of Public Office Statute (N.J.S.A.2c:51-2) requires forfeiture of public employment upon conviction of a crime of the third degree or higher.

All convictions of crimes of the third degree or higher listed in the Comprehensive Drug Enforcement Act of 1987, and all convictions for equivalent federal and out-of-state drug offenses, require forfeiture of public employment.

The forfeiture of Public Office Statute also requires forfeiture of public office or employment upon conviction for an offense involving dishonesty or upon conviction for an offense involving or touching upon the convicted person's public employment irrespective of the degree of the offense. Consequently, convictions for any drug offense occurring in the workplace (including fourth degree, disorderly persons and petty disorderly persons offenses) which are determined to involve or touch upon the office or employment of an individual may result in the statutory forfeiture of public office or employment.

In the case of a drug conviction for an offense occurring in the workplace that does not result in statutory forfeiture of public office or employment, disciplinary action up to and including discharge from employment with the College shall be taken. In addition, in the case of any disciplinary action other than discharge from employment, the employee shall be required to satisfactorily participate in a prescribed program for the treatment of drug abuse approved by the College.

If an employee is not criminally convicted of a violation of law, the College will still take its own disciplinary action against the employee.

Any violation of this Policy will lead to disciplinary action up to and including discharge from employment.

3. The College is committed to providing assistance to employees who come forward on a voluntary basis and identify themselves as suffering from drug dependency and/or abuse and request assistance. Any employee experiencing problems from drug use or dependency should seek aid by contacting the Personnel Department which will make referrals to the appropriate avenues of assistance for counseling and guidance. Disciplinary action will not be taken against an employee who seeks such aid unless she/he engages in conduct prohibited by the law and/or this policy and/or who has job performance problems.

REPORTING OF CRIMINAL DRUG OFFENSE CONVICTIONS:

1. An employee who is convicted of a drug-related crime occurring in the workplace must report that conviction to the Personnel Department no later than five (5) days after such conviction.

2. The College will notify the Federal Agency providing funds for a program in which an employee convicted of a drug offense is employed within ten (10) days of receipt by the Personnel Department of notice of such conviction.

3 The Personnel Department will maintain records that contain the following information on each conviction for a drug offense committed in the workplace by an employee:

- Date of conviction
- Disciplinary action taken
- A notation indicating if the employee is one whose duties involve the performance of a federal grant
- If applicable, date federal grantor was notified of the conviction.

POLICY DISTRIBUTION:

1. All employees will be issued copies of the following relevant documents:
 - This policy
 - Drug-Free Workplace Employee Notice (refer to Attachment A)
 - Drug-Free Workplace Employee Agreement (refer to Attachment B)

2. All employees will be required to sign and submit to the College the "Drug-Free Workplace Employee Agreement" as a condition of employment.

STUDENT AND FINANCIAL AID RECIPIENT INFORMATION:

1. The Student Code of Conduct (Board Policy 903-B) makes it unlawful to manufacture, distribute, dispense, possess or use a controlled substance on campus. Students found in violation will be reported to the local authorities and may be expelled from the College.

2. Students should be aware of the various drug counseling, rehabilitation and available student assistance programs. Information is available in the Counseling Department and College Counselors can assist with referral if a student so desires.

3. Financial Aid recipients will be required to abide by the rules of the agency providing the financial aid. Each Pell Grant recipient will be required to complete a statement attesting to his/her drug-free status during the period of the grant. All Title IV funding recipients will be required to certify that as a condition of their Pell Grant they will not engage in the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance during the period covered by the Pell Grant. If a student financial aid recipient is convicted of a violation involving distribution or possession of drugs after signing a statement certifying that he/she would be drug-free, the federal government may suspend her/his eligibility for Title IV Financial Aid. If she/he is convicted three or more times for drug distribution she/he may become permanently ineligible to receive Title IV Financial Aid.

EDUCATION:

The College intends to maintain a drug-free workplace awareness program to create awareness of drug abuse and foster prevention of it by informing employees of:

- The dangers of drug abuse in the workplace;

- The College's drug-free workplace policy;

- Referral assistance to available drug abuse counseling, treatment, and rehabilitation programs;
- The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.



President

08/18/2021

Date:



Chairman

08/18/2021

Date:

ROWAN COLLEGE AT BURLINGTON COUNTY
DRUG-FREE WORKPLACE EMPLOYEE AGREEMENT

I hereby understand and agree to abide by the following conditions of employment :

- (1) I have received, carefully read, and understand the attached Drug-Free Workplace Policy and agree to abide by its terms;

- (2) As indicated in the aforementioned Policy, I agree to notify the Personnel Department of Rowan College at Burlington County of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction.

Printed Name

Signature

Date

ROWAN COLLEGE AT BURLINGTON COUNTY

DRUG-FREE WORKPLACE

NOTICE TO ALL EMPLOYEES

1. Federal law requires all recipients of Federal grant funds to adopt a policy for maintenance of a drug-free workplace. Receipt of Federal grant funds is conditioned upon compliance with this Federal law, and a grant award may be suspended or terminated for non-compliance. In order to comply with Federal law, the College has issued a drug-free workplace policy. A copy of that policy is attached to this Notice.
2. Each employee must read this policy carefully. Agreement to abide by all the terms of the policy is a condition of continued employment. As the policy explains, the College is committed to maintaining a drug-free workplace in order to protect the health and safety of College employees and other members of the College community.
3. A "Drug-Free Awareness" program is being developed. That program will explain the College's interest in promoting an efficient, safe and drug-free workplace. It will also explain the College policy on discipline for drug offenses in the workplace and available drug abuse treatment programs.