



Human Resource Services POLICY RESOURCES

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Applies to:	Marshall University
Title:	Drug-Free Workplace Policy
Number:	MU-HR-21
Effective Date:	12/03/03
Last Revision Date:	05/01/06

The Drug-Free Workplace Act of 1988 requires that all institutions receiving grants from any federal agency certify that they will maintain a drug free workplace. Marshall University (hereinafter the University) has developed the following policy to accomplish this purpose.

POLICY:

The University is committed to maintaining a workplace free from the unlawful manufacture, possession or distribution of controlled substances. All employees of the University will receive a copy of this policy and must abide by this policy. Each employee agrees to notify his/her immediate supervisor within five days after any conviction under a criminal drug statute for a violation that occurs in the workplace.

The University through Human Resource Services (see policy and procedure on Human Resources Support), will distribute literature informing employees of the dangers of drug abuse in the workplace, and provide information on any available drug counseling, rehabilitation, and employee assistance programs.

SANCTIONS:

An employee who violates the University policy or who is convicted under a criminal drug statute for a violation occurring in the workplace will be subject to the University's disciplinary procedure up to and including dismissal and may be required to participate satisfactorily in a drug assistance or rehabilitation program.

West Virginia sanctions depend on the classification of controlled substance, the particular activity involved (possession or trafficking) and whether multiple convictions are involved. Under West Virginia law, the most severe penalties for drug violations are for possession with intent to sell. On a first offense conviction, one may receive a fine of up to \$25,000 and/or imprisonment for 15 years. Sanctions for violations of State alcohol laws vary according to the severity of the offense, with the minimum vehicular violation calling for imprisonment in the county jail for 24 hours, and a \$500 fine.

Sanctions for non-compliance of the Drug-Free Workplace Act of 1988 include: suspension of payments under a grant; suspension of termination of a grant; and suspension or debarment from federal assisted activities.

The University will make a good faith effort to comply with the drug-free workplace regulations.

Copies of this policy will be distributed annually to all members of the Marshall University community.

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