

# **ERIE COMMUNITY COLLEGE DRUG FREE WORKPLACE POLICY**

## **U.S. Department of Justice, Drug Enforcement Administration Links**

**Club Drug Information** - <http://www.justice.gov/dea/concern/clubdrugs.html>

**Controlled Substances - Uses and Effects** - <http://www.usdoj.gov/dea/concern/concern.htm>

**Federal Trafficking Penalties** - <http://www.justice.gov/dea/agency/penalties.htm>

## **Policy Statement**

Erie Community College believes that the illegal use of drugs and alcohol presents a serious health and safety hazard to the College community and interferes with educational and occupational success. The College fully complies with the Drug Free School and Communities Act of 1989 to prohibit the illegal possession, consumption and distribution of drugs and alcohol on College property, during classes and at activities officially sponsored by the College. Students, faculty and staff may not consume alcoholic beverages on College property, during classes, or in connection with activities officially sponsored by the College except by permission of the Erie Community College Board of Trustees or designee (*BOT Policy Number VI-A-13*).

Erie Community College supports all federal, state and local ordinances pertaining to alcohol and drugs and will fully cooperate with law enforcement authorities to protect the students, staff and faculty of the college from the illegal possession, purchase, sale, and manufacture of controlled substances and alcohol. The college will refer offenders to the proper civil authorities. Regardless of whether the legal action is pursued by the college or outside agencies, disciplinary action will be taken by the college for violations of the law, college policy or college Conduct Regulations. All students, faculty and staff should be familiar with the Drug Free Campus Policy and abide by it. In addition, all college faculty, staff and student employees must be in compliance with the Erie Community College Drug Free Workplace Policy.

## **Policy**

This policy applies to all College faculty, staff and student employees and is in compliance with the regulations of the Drug-Free Workplace Act of 1998. The College is committed to the development and maintenance of a drug free environment in accordance with the Drug-Free Workplace Act. Accordingly, the College will not tolerate any unlawful activity such as the possession, use, manufacture, distribution, and/or dispensation, of a controlled substance on College owned or controlled property.

## **II. Guidelines**

### **A. Sanctions for Violation or Non-compliance:**

Disciplinary charges and/or remedial action will be pursued consistent with existing contractual agreements. The nature and extent of these charges and/or action depend on a variety of factors, including the severity of any work rule violations, the pattern and frequency of

observed substance related problems, past work record, or any other consideration which may be considered relevant by the College. The need for disciplinary action and the appropriate penalty should be discussed with the Director of Human Resources.

### **B. Maintenance of Drug-Free Workplace:**

Good faith efforts on the part of ECC to establish and maintain a drug-free workplace will include providing ongoing drug awareness educational programs and dissemination of drug awareness information for all members of the College community as well as implementation and strict enforcement of this policy.

### **III. Procedures**

- A. Each faculty member, staff member and student employee, including those newly hired (at the time of their orientation), will be given a copy of this policy.
- B. A supervisor having knowledge or having received notification of a violation of this policy shall immediately report such violation to the Director of Human Resources.
- C. The Director of Human Resources or designee will coordinate ongoing drug education and awareness programs in cooperation with our Employee Assistance Program for the College community as well as provide drug informational materials. Faculty, staff and student employees are expected to avail themselves of these programs and materials. Schedules and locations will be publicized in various College media and by individual notification.
- D. Application of the College's corrective discipline policy for violation of this policy and any other related questions should be referred to the Director of Human Resources.

### **Laws Governing Alcohol**

The State of New York sets 21 as the minimum age to purchase or possess any alcoholic beverage. Specific ordinances regarding violations of alcohol laws including driving while intoxicated are available from the Office of the Associate Vice President of College Safety and Security. Effective January 1, 1990, the package of new state laws was passed regarding alcohol. The new law included the following:

Persons under 21 found possessing alcohol may be given a maximum fine of \$50.

Anyone convicted of fraudulently using a driver's license to buy or to attempt to buy alcohol may have his driver's license suspended for up to 90 days.

Persons convicted of buying alcohol through fraudulent means face a possible \$100 fine and/or being required to do up to 30 hours of community service work.

A violation of any law regarding alcohol while at the workplace or on duty is also a violation of this policy and will be treated as a separate disciplinary matter by the college.

Behavior that disrupts the educational environment, causes public inconvenience, annoyance or alarm, or recklessly creates a risk to people and/or property even though motivated by alcohol is a violation of law and college policy.

### **Controlled Substance Offenses**

Criminal possession, sale or use of drugs is covered in articles 220 and 221 of the New York State Penal Law. The seriousness of the offense and penalty imposed upon conviction depend upon the individual drug and amount held or sold ranging from a maximum of 15 days and \$250 fine for a violation to a maximum of \$100,000 fine and life imprisonment for a class A felony. It is important to be aware that under the Penal Law, a gift of drugs is treated as a sale.

A violation of any law regarding drugs while at the workplace or on duty is also a violation of this policy and will be treated as a separate disciplinary matter by the college.

Detailed information regarding the penalties for illegal possession and distribution of drugs is available from the Office of the Associate Vice President of College Safety and Security.

### **Known Health Risks**

As part of the effort to create a drug-free campus, Erie Community College believes that the college community should be educated about the physical and emotional health hazards the misuse of drugs and alcohol presents. ECC provides information and educational programs on substance abuse throughout the year to students, faculty and staff. Listed below are some of the health risks associated with using/abusing alcohol and various drugs. (Please note that the dangers associated with substance abuse are not limited to only the conditions listed below.)

**Alcohol** - Heart and liver damage; brain damage; death from overdose and accidents.

**Marihuana/Hashish** - Impaired memory perception, interference with psychological maturation, possible damage to lungs and heart, psychological dependence.

**Cocaine** - Intense psychological dependence, sleeplessness and anxiety, nasal passage damage, lung damage, and death from overdose.

**Stimulants** - Loss of appetite, hallucinations, paranoia, convulsions, brain damage, cancers of the lung, throat, mouth, death from overdose.

**Depressants** - Infection, addiction, loss of appetite, death from overdose, nausea, and has severe interaction with alcohol.

**Narcotics** - Addiction with severe withdrawal symptoms, loss of appetite, death from overdose.

**Hallucinogens** - Anxiety, depression, impaired memory, emotional breakdown, death from overdose.

**Inhalants** - Drastic weight loss, brain damage, liver and bone marrow damage, high risk of sudden death.

Please contact your campus Health Office for additional information on the risks involved with the misuse of drugs and alcohol.

### **Available Assistance**

Employees are encouraged to utilize the Employees' Assistance Program (EAP) when necessary. Information pertaining to the EAP is available in the Human Resources Department.

The New York State Division of Substance Abuse Services supports and monitors a state-wide network of prevention and treatment programs. Persons concerned about substance abuse problems are invited to call toll-free, 1-800-522-5353 for information and assistance.