

 <b>Florida Institute of Technology</b> Personnel Policies & Procedures	<b>Drug Free Workplace Act and          Drug Free Schools &amp; Communities Act</b>		
	Applicability Employee Classes: All Employees and Students	Effective: 09/20/90	Approved:  Lynn E. Weaver, President

**PURPOSE**

In accordance with the provisions of the “Drug-Free Workplace Act,” effective March 18, 1989, and the “Drug-Free Schools and Communities Act” effective October 1, 1990, all employees and students of the Florida Institute of Technology, as a condition for them to be engaged in employment or in the performance of any contract or grant or pursuit of a degree, must be advised of their required compliance with the Drug/Alcohol Policy of this University. This requirement shall be effective for all contracts and grants approved and awarded after March 18, 1989. The regulation further states that for any contract or grant approved and awarded prior to March 18, 1989, “if significant changes are made to a contract, the requirements of the Drug-Free Workplace Act apply.”

**APPLICABILITY**

This policy applies to all students and employees of the University. It shall be the responsibility of the Principal Investigator (PI) to ensure that all employees engaged in the performance of a respective contract or grant are provided with a copy of this policy. The Vice President for Academic Affairs and Director of Human Resources will ensure notification to all employees. The Dean of Students will ensure notification to all students.

**REQUIREMENTS**

The Drug/Alcohol Policy of the Florida Institute of Technology reads as follows :

As an institution of higher education and as a federal contractor, F.I.T. provides a drug-free workplace. As such, the following is prohibited by all employees and students:

- Use, possession, manufacture, distribution, dispensation, sale, attempt to sell, or being under the influence of illegal controlled substances on-campus or off-campus.
- Unauthorized use, possession, distribution, sale, or attempt to sell, alcoholic beverages on duty.

- Being under the influence of alcoholic beverages on duty.
- Use of alcohol off duty that adversely affects: the employee's work performance; his or her own or other's personal safety while on duty; or the University's reputation in the community.

An employee or student may be required to submit to an alcohol/drug test if reasonable suspicion exists to believe that they are under the influence of alcohol or illegal drugs. Employees who are directed to submit to such test and refuse or fail to do so when asked, will be subject to immediate dismissal. Employees and students who are tested positive for alcohol or illegal drugs may be referred to the Center for Student Development for professional assistance. Employees who refuse such assistance or who fail to follow the treatment outlined for their recovery are subject to dismissal. Students who are directed to submit to such test and refuse or fail to do so when asked are subject to suspension from the University.

Employees or students who are convicted or sentenced for on- or off-campus illegal drug activity must notify the University of the conviction no later than five days after each conviction. If the convicted employee or student is working on a grant, the University will notify the granting agency of such conviction within ten days after receiving notice. Such employee or student will be considered in violation of this policy and subject to dismissal.

Employees should notify their supervisor when they are under medically prescribed treatment with a controlled substance that may limit their ability to perform their job. Verification of required medication may be requested by the supervisor. Failure to provide requested verification will subject the employee to dismissal. Students should notify the office of the Dean of Students.

All applicants for employment and applicants for admission to the University may be tested, at the University's discretion, for the presence of alcohol and/or illegal drugs. An applicant who refuses or fails to take the required test, or who tests positive for the presence of alcohol and or/ illegal drugs, will be disqualified from further consideration.

#### DESCRIPTION OF HEALTH RISK:

Drug abuse is a major problem. Drug users can lose resistance to disease and harm their health.

Intravenous drug users may be exposed to AIDS and other serious diseases. When drug users build up their tolerance to a drug, they need more to get the same effect. Thus, they risk an overdose. The continued use of many drugs can lead to a physical and/or psychological dependence.

Alcohol abuse is any drinking that harms the drinker or endangers other people. It can be a single episode of drinking or a regular pattern. Effects of excessive drinking include:

- increased heart rate
- loss of muscle control, leading to slurred speech and poor coordination
- fatigue, nausea, and headache
- impaired judgment and thinking
- loss of inhibition
- exaggerated feelings of anger, fear, and anxiety

See Appendix A for additional details.

#### LEGAL SANCTIONS:

Pursuant to State, Federal, and Local Law, it is unlawful for any person to sell, purchase, manufacture, deliver, or possess with intent to sell, purchase, manufacture, deliver, or use a controlled substance. Any person who violates this provision may be charged and prosecuted, in line with one of the following:

- a. Felony of the 2<sup>nd</sup> degree- Punishable by a prison term not to exceed 15 years, and 15 years, and / or a fine not to exceed \$10,000.
- b. Felony of the 3<sup>rd</sup> degree- Punishable by a prison term not to exceed 5 years, and/or a fine not to exceed \$5,000.
- c. Misdemeanor of the 1<sup>st</sup> degree- Punishable by a prison term not to exceed 1 year, and/ or a fine not to exceed \$1,000.

The particular substance involved is the determining factor as to the degree of punishment.

See Appendix B for additional details.