

## **Employee Drug and Alcohol Abuse Prevention Program Policy**

### **Health Risks and Effects:**

Alcohol and drug usage causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely. Low to moderate doses of alcohol also increase the incidence of a variety of aggressive acts, including domestic violence and date rape. Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause respiratory depression and death. Repeated use of alcohol and drugs can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations, and convulsions. Long-term consumption of large quantities of alcohol and drugs, particularly when combined with poor nutrition, can also lead to permanent damage to vital organs such as the brain and liver.

### Alcohol-and-Drug-Free Campus Workplace Policy:

Ferrum College is committed to providing student, faculty, staff, and visitors a safe campus and workplace. The college recognized the health risks associated with controlled substance use and alcohol misuse and is committed to supporting students and employees who seek treatment for these conditions. The college also recognizes that controlled substance use and alcohol misuse diminish workplace and campus safety and undermine the college's ability to fulfill its mission of providing quality education for all students in an atmosphere that promotes intellectual pursuit, spiritual growth, and social and personal responsibility. Compliance with this policy is considered a condition of employment and attendance at Ferrum College and monitored by the Human Resource Department. All employees and students have been notified of this policy by print publication and electronic delivery.

### **Drug-Free Workplace Policy:**

In compliance with the drug-free workplace requirements, the following policy is in effect for Ferrum College and published in the Personnel Handbook each year:

### **Employee Drug and Alcohol Policy**

#### ***Introduction***

In compliance with the Drug-Free Workplace Act of 1988, Ferrum College has a longstanding commitment to providing a safe, quality-oriented and productive work environment consistent with the standards of the community in which we operate. Alcohol and drug abuse pose a threat to the health and safety of Ferrum College employees and to the security of our campus, elimination of drug and/or alcohol use and abuse in the workplace.

This policy outlines the practice and procedure designed to correct instances of identified alcohol and/or drug use in the workplace. This policy continues to apply to all employees and all applicants for employment of Ferrum College. The Human Resources Department is responsible for policy administration.

#### ***Employee Assistance and Drug-Free Awareness***

Illegal drug use and alcohol misuse have a number of adverse health and safety consequences. Information about those consequences and sources of help for drug/alcohol problems is available from the Human Resources Department, members of which have been trained to make referrals and assist employees with drug/alcohol problems.

Ferrum College will assist and support employees who voluntarily seek help for such problems before becoming subject to discipline and/or termination under this or other Ferrum College policies. Such employees will be allowed to use accrued paid time off, placed on leaves of absence, referred to treatment providers and otherwise accommodated as required by law. Such employees may be required to document that they are successfully following prescribed treatment and to take and pass follow-up tests if they hold jobs that are safety-sensitive or require driving. Once a drug test has been scheduled, the employee will have forfeited their right to be granted a leave of absence for treatment and possible discipline, up to and including discharge, will be unavoidable.

Employees should report to work fit for duty and free of any adverse effects of illegal drugs or alcohol. This policy does not prohibit employees from the lawful use and possession of prescribed medications. Employees must, however, consult with their doctors about the medications' effect on their fitness for duty and ability to work safely and promptly disclose any work restrictions to their supervisor. Employees should not, however, disclose underlying medical conditions unless directed to do so.

### ***Crimes Involving Drugs***

Ferrum College prohibits all employees, including employees performing work under contracts, from manufacturing, distributing, dispensing, possessing or using an illegal drug or having a detectible presence of drugs in ones' system in or on Ferrum College premises or while conducting College business. Ferrum College employees are also prohibited from misusing legally prescribed or OTC drugs. Law enforcement personnel shall be notified, as appropriate, where criminal activity is suspected.

Ferrum College does not desire to intrude into the private lives of its employees, but recognizes that employee's off-the-job involvement with drugs and alcohol may have an impact on the workplace. Therefore, Ferrum College reserves the right to take appropriate disciplinary action for drug usage/sale/distribution while off College premises. All employees who are convicted of, plead guilty to, or are sentenced for a crime involving an illegal drug are required to report the conviction, plea or sentence to Human Resources within five days. Failure to comply will result in automatic discharge. Cooperation in complying may result in suspension without pay to allow management to review the nature of the charges and the employee's past record with Ferrum College.

### ***Definitions***

**“College Premises”** includes, but is not limited to, all buildings, offices, facilities, grounds, parking lots, lockers, places and vehicles owned, leased or managed by Ferrum College or on any site on which the College is conducting business.

**“Illegal Drug”** means a substance whose use or possession is controlled by federal law but that is not being used or possessed under the supervision of a licensed health care professional. (Controlled substances are listed in Schedules I-V of 21 C.F.R. Part 1308.)

**“Refuse to Cooperate”** means to obstruct the collection or testing process; to submit an altered, adulterated, or substitute sample; to fail to show up for a scheduled test; to refuse to complete the requested drug testing forms; or fail to promptly provide specimen(s) for testing when directed to do so, without a valid medical basis for the failure. Employees who leave the scene of an accident without justifiable explanation prior to submission to drug and alcohol testing will also be considered to have refused to cooperate and will automatically be subject to discharge.

**“Under the Influence of Alcohol”** means an alcohol concentration equal to or greater than .04, or actions, appearance, speech or bodily odors that reasonably cause a supervisor to conclude that an employee is impaired because of alcohol use.

**“Under the Influence of Drugs”** means a confirmed positive test result for illegal drug use per this policy. In addition, it means the misuse of legal drugs (prescription and possibly over-the-counter) where there is not a valid prescription from a physician for the lawful use of a drug in the course of medical treatment (containers must include the patient's name, the name of the substance, quantity/amount to be taken, and the period of authorization).

### ***Work Rules***

1. Whenever employees are working, are operating any Ferrum College vehicle, are present on Ferrum College premises, or are conducting College related work off-site, they are prohibited from:

- Using, possessing, buying, selling, manufacturing or dispensing an illegal drug (to include possession of drug paraphernalia);
- Being under the influence of alcohol or an illegal drug as defined in this policy; and
- Possessing or consuming alcohol except under the following conditions:
  - While attending an on-campus event for which Administrative Council has approved the serving of alcoholic beverages and provides qualified parties for monitoring the serving of alcoholic beverages.
  - While attending off-campus College-related events where qualified third parties are responsible for monitoring the serving of alcoholic beverages.

While attending events as representatives of Ferrum College where alcoholic beverages are served, employees are strongly encouraged to exercise good judgment, including refraining from driving. Furthermore, Ferrum College does not accept responsibility for the actions of employees who are under the influence of alcohol.

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. Ferrum College will also not allow any employee to perform their duties while taking prescribed drugs that are adversely affecting the employee's ability to safely and effectively perform their job duties. Employees taking a prescribed medication must carry it in the container labeled by a licensed pharmacist or be prepared to produce this if asked.

***Required Testing***  
**Pre-Employment**

Applicants may be required to pass a drug test before beginning work or receiving an offer of employment. Such requirement would be based upon prior conviction of illegal drug use or trafficking as indicated in a background check, for jobs that are declared safety-sensitive by the College, and/or for other reasons as determined relevant by the College. Refusal to submit to testing will result in disqualification of further employment consideration.

**Reasonable Suspicion**

Employees are subject to testing based upon (but not limited to) observations by the supervision of apparent workplace use, possession or impairment. Human Resources or the Vice President for Administration should be consulted before sending an employee for testing. *Under no circumstances will the employee be allowed to drive him or herself to the testing facility. A member of supervision/management must escort the employee. The same will make arrangements for the employee to be transported home.*

**Post-Accident**

Employees may be subject to testing when they cause or contribute to accidents that seriously damage a Ferrum College vehicle, machinery, equipment, or property and/or result in an injury to themselves or another employee requiring medical attention. A probable belief circumstance will be presumed to arise in any instance involving a work-related accident or injury in which an employee who was operating a motorized vehicle (including, but not limited to, Ferrum College car, mini-van, shuttle, pickup truck, fork truck, aerial/man-lifts, golf cart) is found to be responsible for causing the accident. In any of these instances, the investigation and subsequent testing must take place as soon as reasonably possible, preferably within two (2) hours following the accident, absent unavoidable circumstances. *Under no circumstances will the employee be allowed to drive himself or herself to the testing facility.*

## **Follow-Up**

Employees who have tested positive, or otherwise violated this policy, are subject to discipline, up to and including discharge. Depending upon the circumstances and the employee's work history/record, Ferrum College may offer an employee who violates this policy or tests positive the opportunity to return to work on a last chance basis pursuant to mutually agreeable terms, which could include follow-up drug testing at times and frequencies determined by Ferrum College as well as a waiver of the right to contest any termination resulting from a subsequent positive test. If the employee either does not complete their rehabilitation program or tests positive after completing the rehabilitation program, they will be subject to immediate discharge from employment.

## **Collection and Testing Procedures**

Employees subject to alcohol and/or drug testing shall be driven to a Ferrum College designated facility for testing as deemed appropriate. Applicants subject to drug testing shall likewise be driven to a Ferrum College designated medical facility. It is the obligations of applicants and employees to execute any necessary forms and to provide specimens as requested.

### ***Consequences***

Applicants who refuse to cooperate in a drug test or who test positive will not be hired and will not be allowed to re-apply/re-test in the future.

Employees who refuse to cooperate in required tests or who use, possess, buy, sell, manufacture or dispense an illegal drug in violation of this policy will be terminated. *If the employee refuses to be tested yet we believe they are impaired, under no circumstances will the employee be allowed to drive himself or herself home.* The first time an employee tests positive for alcohol or illegal drug use under this policy, the result will be discipline up to and including discharge.

Employees will be paid for time spent in alcohol/drug testing and then suspended pending the results of the drug/alcohol test. After the results of the test are received, a date/time will be scheduled to discuss the results of the test; this meeting will include a member of management/supervision and Human Resources. Should the results prove to be negative; the employee will receive back pay for the times/days of suspension.

### ***Confidentiality***

Information and records relating to positive test results, drug and alcohol dependencies and legitimate medical explanations provided shall be kept confidential to the extent required by law and maintained in secure files separate from normal personnel files. Such records and information may be disclosed among managers and supervisors on a need-to-know basis and may also be disclosed where relevant to a grievance, charge, claim or other legal proceeding initiated by or on behalf of an employee or applicant or Ferrum College.

### ***Inspections***

Ferrum 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 discharge.

### ***Changes to Policy and Testing Procedures***

This policy is intended as advice concerning general Ferrum College practices and procedures. The contents hereof should not be viewed as binding or contractual in nature, but rather as general guidelines only. Ferrum College reserves the right to respond to all situations in the best interest of Ferrum College and to review and amend this policy at Ferrum College's discretion at any time.

**Intervention:**

Ferrum College has several options available for students and staff members who need to address alcohol and other drug abuse issues. The college has an agreement with Carilion Clinic, to provide counseling for students and staff members. Students are also given information regarding other resources in the area: Piedmont Community Services, Tri-Area Health Center and Alcoholics Anonymous.

**Resources for Assistance:**

All students and employees are encouraged to seek early help if they feel they have a problem with alcohol and/or other drugs, and to learn how to assist others with substance abuse problems. With early assistance it is less likely that serious consequences will result from an alcohol or other drug problem. There are resources on campus and in the community for assistance. Questions should be directed to the Human Resources Department at the Pine House, or to the Student Health Office located in Bassett Hall. Some other resources include:

- Alcoholics Anonymous – <http://www.aa.org>
- Al-Anon - <http://www.va-al-anon.org>
- Narcotics Anonymous – (540) 344-3400 Roanoke, Virginia
- Focus on Recovery Helpline (alcohol/drugs) – 1-800-374-2800 or 1-800-234-1253
- National Suicide Prevention Lifeline – 1-800-SUICIDE (784-2433)
- Piedmont Community Services – (540) 483-0582 Rocky Mount, Virginia

**Proposed Opportunities/Activities Regarding Drugs and Alcohol Prevention and Safety/Security:**

- Athletic Orientation, early arrivals for Fall semester
- Freshman Orientation during Fall and Spring semester
- Campus Posters year round
- Dorm Agreements each semester
- Student Handbook distributed each Fall and to new students in the Spring
- Health Policies distributed to each student every semester
- Catalog Distribution annually in the Fall
- Employee Personnel Handbook distributed in the Fall
- Website for electronic copies of Catalog, Student Handbook, Employee Handbook, etc, - all year

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Federal Trafficking Penalties for Marijuana, Hashish and Hashish Oil, Schedule I Substances	
Marijuana 1,000 kilograms or more marijuana mixture or 1,000 or more marijuana plants	<p><b>First Offense:</b> Not less than 10 yrs. or more than life. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine not more than \$10 million if an individual, \$50 million if other than an individual.</p> <p><b>Second Offense:</b> Not less than 20 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$20 million if an individual, \$75 million if other than an individual.</p>
Marijuana 100 to 999 kilograms marijuana mixture or 100 to 999 marijuana plants	<p><b>First Offense:</b> Not less than 5 yrs. or more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine not more than \$5 million if an individual, \$25 million if other than an individual.</p> <p><b>Second Offense:</b> Not less than 10 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$8 million if an individual, \$50million if other than an individual.</p>
Marijuana 50 to 99 kilograms marijuana mixture, 50 to 99 marijuana plants	<p><b>First Offense:</b> Not more than 20 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine \$1 million if an individual, \$5 million if other than an individual.</p>
Hashish More than 10 kilograms	<p><b>Second Offense:</b> Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if other than an individual.</p>
Hashish Oil More than 1 kilogram	
Marijuana less than 50 kilograms marijuana (but does not include 50 or more marijuana plants regardless of weight)	<p><b>First Offense:</b> Not more than 5 yrs. Fine not more than \$250,000, \$1 million if other than an individual.</p> <p><b>Second Offense:</b> Not more than 10 yrs. Fine \$500,000 if an individual, \$2 million if other than individual.</p>
1 to 49 marijuana plants	
Hashish 10 kilograms or less	
Hashish Oil 1 kilogram or less	



**Federal Trafficking Penalties for Schedules I, II, III, IV, and V (except Marijuana)**

Schedule	Substance/Quantity	Penalty	Substance/Quantity	Penalty
II	Cocaine 500-4999 grams mixture	<b>First Offense:</b> Not less than 5 yrs. and not more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine of not more than \$5 million if an individual, \$25 million if not an individual.  <b>Second Offense:</b> Not less than 10 yrs. and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than \$8 million if an individual, \$50 million if not an individual.	Cocaine 5 kilograms or more mixture	<b>First Offense:</b> Not less than 10 yrs. and not more than life. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine of not more than \$10 million if an individual, \$50 million if not an individual.  <b>Second Offense:</b> Not less than 20 yrs. and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.  <b>2 or More Prior Offenses:</b> Life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.
II	Cocaine Base 28-279 grams mixture		Cocaine Base 280 grams or more mixture	
IV	Fentanyl 40-399 grams mixture		Fentanyl 400 grams or more mixture	
I	Fentanyl Analogue 10-99 grams mixture		Fentanyl Analogue 100 grams or more mixture	
I	Heroin 100-999 grams mixture		Heroin 1 kilogram or more mixture	
I	LSD 1-9 grams mixture		LSD 10 grams or more mixture	
II	Methamphetamine 5-49 grams pure or 50-499 grams mixture		Methamphetamine 50 grams or more pure or 500 grams or more mixture	
II	PCP 10-99 grams pure or 100-999 grams mixture		PCP 100 grams or more pure or 1 kilogram or more mixture	
<b>Substance/Quantity</b>		<b>Penalty</b>		
Any Amount Of Other Schedule I & II Substances		<b>First Offense:</b> Not more than 20 yrs. If death or serious bodily injury, not less than 20 yrs. or more than Life. Fine \$1 million if an individual, \$5 million if not an individual.		
Any Drug Product Containing Gamma Hydroxybutyric Acid		<b>Second Offense:</b> Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if not an individual.		
Flunitrazepam (Schedule IV) 1 Gram				
Any Amount Of Other Schedule III Drugs		<b>First Offense:</b> Not more than 10 yrs. If death or serious bodily injury, not more than 15 yrs. Fine not more than \$500,000 if an individual, \$2.5 million if not an individual.  <b>Second Offense:</b> Not more than 20 yrs. If death or serious injury, not more than 30 yrs. Fine not more than \$1 million if an individual, \$5 million if not an individual.		
Any Amount Of All Other Schedule IV Drugs (other than one gram or more of Flunitrazepam)		<b>First Offense:</b> Not more than 5 yrs. Fine not more than \$250,000 if an individual, \$1 million if not an individual.  <b>Second Offense:</b> Not more than 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if other than an individual.		
Any Amount Of All Schedule V Drugs		<b>First Offense:</b> Not more than 1 yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual.  <b>Second Offense:</b> Not more than 4 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.		

# **Carilion Employee Assistance Program (EAP)**

Helping Employees Achieve Their Best

1-800-992-1931 8am – 5pm EST

**What is EAP?** A voluntary, **confidential** service providing professional counseling and referral services designated to help with problems that may be personal, job related or with your family. It is designed to help employees and their families identify, resolve and gain control over problems that may be interfering with work and daily life.

**With What Problems Can the EAP help?** Through short-term counseling, it can help you understand your options for virtually any issue or problem that may arise. Some common concerns include: Emotional, Family, Grief/Loss, Alcohol/Substance Abuse, Marital, Job-Related Problems, Legal or Financial problems.

**Why use the EAP?** You may want to consider talking to an EAP counselor if:

- # You spend much of your day worrying about a particular problem.
- # Your job, family life, relationships or health is affected by this problem.
- # You tell yourself that the problem will get better but it never does
- # You realize you have a problem, but you don't know where to go for help.
- # You have a problem and want to talk about it with someone outside of the problem.

**What can you expect from the EAP?** Assistance is available immediately. All you need to do is call 1-800-992-1931 and request an appointment. Our staff will assist you in connecting with your local provider. The counselor will (1) help you assess the problem (2) provide short-term counseling when appropriate (3) Assist you in selecting a specific resource, when necessary (4) Involve family members, when needed (5) follow-up to insure you receive quality assistance.

**Does it cost to use the EAP?** Your initial sessions with a licensed or certified counselor are prepaid through your employer. Additional sessions, if needed, will utilize your present insurance or community resources. If a referral to an outside provider is needed, your counselor will recommend carefully selected resources. Your health insurance and other financial factors will be considered to help insure that needed services are affordable.

**Is the EAP Confidential?** Yes, your request for assistance and any information that may be shared is between you and your counselor. All EAP records are kept strictly confidential. It requires your written permission and will not jeopardize your job or career.

Call for help and mention that you want to use your EAP benefit. We are here for you even in a crisis. It's Confidential!