

**TITLE:** MUW Faculty and Staff Drug and Alcohol Policy

**AUTHOR:** Director of Human Resources

**APPROVAL DATE:** April 6, 2011

**EFFECTIVE DATE:** April 6, 2011

**PURPOSE:** To define the guidelines for maintaining a drug and alcohol-free workplace and school.

**REVIEWER:** Director of Human Resources

**REVIEW DATE:** October 2025 and every five years thereafter

**OPERATING DETAILS:**

Mississippi University for Women is committed to maintaining a drug-free workplace and workforce in conformity with federal laws as set forth in the Drug-Free Workplace Act of 1988 and the Department of Defense (DOD) Drug-Free Workforce Rule of 1988. As a result of these laws and of the policy of this institution that the campus of Mississippi University for Women be a drug-free workplace, faculty and staff members are specifically prohibited from possessing, using, manufacturing, selling, distributing, or in any other way involving themselves with controlled substances both on and off campus, except as permitted in the relevant legislation.

For purposes of this policy, the terms "faculty and staff members" shall specifically include all personnel employed by the University, whether full-time or part-time. The terms "controlled substances" shall mean those drugs and substances set forth in Schedules I through V of Section 202 of the Controlled Substances Act (21 U.S.C. 812), and as further defined by regulation at 21 C.F.R. 1300.11 through 1300.15. The term "workplace" is any location where a faculty or staff member is functioning within his or her job capacity.

**Notification of Convictions**

Any faculty or staff member who has been convicted of a criminal drug statute violation occurring in the workplace must notify his/her immediate supervisor no later than five (5) days after the conviction.

1. Upon notification of such a conviction, the University will initiate appropriate personnel action within thirty (30) days of such notification.
2. Upon notification of such a conviction, the University is required by law to notify the applicable funding agency(s) within ten (10) days if the faculty or staff member is working in a position that is funded by federal monies.

**Sanctions**

1. Depending upon the facts relating to any drug conviction or use, the employee may be: suspended pending further investigation; required to participate

satisfactorily in a drug abuse assistance or rehabilitation program; issued a formal warning; or terminated. For disciplinary actions, up to and including termination, the applicable procedure will apply, based upon the status of the employee (i.e. faculty/staff, within 90-Day Review period/outside 90-Day Review period, temporary/permanent, level of responsibility, etc.). Any action will be initiated within thirty (30) days after the facts have become known by the University.

2. If a faculty or staff member fails to notify his/her immediate supervisor of any criminal drug statute conviction for a violation occurring in the workplace within five (5) days after such conviction, he/she will be suspended pending investigation with termination possible.
3. For purposes of this policy, "conviction" means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the federal or state criminal drug statutes.

### **Drug-Free Awareness Program**

The University has established a Drug-Free Awareness Program which is administered through the University Student Affairs Division and the Department of Human Resources. This program provides the identification of illegal drug use and information about drug counseling for any student or employee.