



BOARD POLICIES

DIVISION	POLICY NUMBER
II. College Employees	2.16.02 [1]
CATEGORY	DATE
2.16.02 Drug-Free Workplace	Adopted 6/1989 Revised 12/2001, 4/2019

2.16.02 DRUG-FREE WORKPLACE

In compliance with the requirements of the federal Drug-Free Workplace Act of 1988 Public Law 100-690, and the federal Drug-Free Schools and Communities Act Amendments of 1989, the College enacted and maintains a Drug-Free Workplace Policy.

I. Definitions

- A. The term “contractor” shall mean the department, division, or other unit of the College responsible for performance of a federal contract.
- B. The terms “controlled substances” or “drugs” shall be defined as the term “controlled substances” is defined in Schedules I through V of Section 202 of the federal Controlled Substances Act (21 U.S.C. 812).
- C. The term “criminal drug statute” shall mean a criminal statute involving manufacture, distribution, dispensation, use, or possession of any controlled substance.
- D. The terms “employee” or “employees” shall mean full time or part time employees, employees under contract, independent contractors and their agents and employees, student workers and temporary workers.
- E. The term “conviction” shall mean 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 federal or state criminal drug statutes.
- F. The term “federal agency” shall mean any department, agency or unit of the federal government.
- G. The term “federal contract” shall mean a contract or sale of property or services of a value of more than \$25,000 to a federal agency.



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- H. The term “federal grant” shall mean any grant from any federal agency.
- I. The term “grantee” shall mean the department, division, or other unit of the College responsible for the performance under the grant.
- J. The term “workplace” shall mean the College’s buildings and grounds and off-campus sites leased or controlled by the College or sites used by the College in any sanctioned activity.

II. Prohibited Conduct

It is the policy of the College that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance by employees in the workplace is prohibited. Likewise, employees are also prohibited from being under the influence of illegal drugs, controlled substances, unauthorized prescription drugs or alcohol on the premises of any College building or facility (unless authorized), in college-owned vehicles, or during work hours.

Faculty, staff, and/or students shall not manufacture, possess, use, deliver, sell, or distribute any substance prohibited by the Illinois Cannabis Control Act or the Illinois Controlled Substance Act, any other State statute, or any federal statute, except as authorized by law, the Board of Trustees policies, and the policies of the College.

The unlawful possession, use or distribution of illicit drugs by students and employees on institutional property or at any of its activities is prohibited.

This policy does not apply to the lawful use of prescription drugs or those drugs otherwise allowable by law.

III. Notice of Conviction



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- A. Any employee who is convicted of unlawfully possessing, using, dispensing, distributing, or manufacturing any controlled substances or drugs within the workplace, must notify the Human Resources Department in writing within five calendar days of the conviction.
- B. If the employee is directly engaged in performance of work pursuant to the provisions of a federal grant or federal contract, the College shall give notice of the conviction to the federal agency with whom it has contracted or from whom it receives the grant within ten calendar days of receiving notification of conviction.

IV. Discipline and Dismissal

- A. Discipline for violating the Drug-free Workplace Policy shall be governed by the College disciplinary and termination policies, as well as collective bargaining agreements, when applicable. Nothing contained herein limits the right of the College under federal, state or local law, to discipline the employee, up to and including termination, for violation of any College policy or procedure.
- B. In conjunction with and/or in lieu of disciplinary sanctions for violation of the Drug-Free Workplace Policy, the College in its discretion may require the employee to satisfactorily participate in a substance abuse assistance or rehabilitation program designated by the College and approved for such purposes by a federal, state or local health, law enforcement, or other appropriate agency such as the college Employee Assistance Program (EAP).
- C. Students who violate College policies concerning drugs and alcohol will be referred to the Office of Student Rights and Responsibilities for disciplinary action in accordance with the Student Code of Conduct. In addition, student employees who violate College policies concerning drugs and alcohol may be subject to termination of employment.



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- D. Violators of state or federal law are also subject to criminal prosecution by state and/or federal authorities.
- E. Within thirty (30) days after receiving notice of conviction under Section III the College will take the appropriate disciplinary or referral action set out in parts A and B above.
- V. Dissemination of Policy
 - A. All employees will receive a copy of the College’s Drug-Free Workplace Policy. In addition to being disseminated periodically, it is available to employees on the JJC portal.
 - B. Failure of an employee to receive a copy of the Drug-Free Workplace Policy will not constitute a defense to violations of the College’s policy or rules.
- VI. Employee Assistance Program

The College will institute and maintain an Employee Assistance Program (EAP) to inform employees about: (a) the dangers of substance abuse in the workplace; (b) the College’s policy of maintaining a drug-free workplace; (c) any available substance counseling rehabilitation and employee assistance programs; and (d) the penalties that may be imposed on employees for drug abuse violations.