

University of California Policy on Substance Abuse

Drug-free Workplace

The University of California recognizes dependency on alcohol and other drugs as a treatable condition and offers programs and services for University employees and students with substance dependency problems. Employees (including student employees) and students are encouraged to seek assistance, as appropriate, from employee support programs, health centers, and counseling or psychological services available at University locations or through referral. Information obtained regarding an employee or student during participation in such programs or services will be treated as confidential, in accordance with Federal and State laws.

The University strives to maintain campus communities and worksites free from the illegal use, possession, or distribution of alcohol or controlled substances, as defined in schedules I through V of the Controlled Substances Act, 21 United States Code section 812, and by regulation at 21 Code of Federal Regulations section 1308. Unlawful manufacture, distribution, dispensing, possession, use, or sale of alcohol or controlled substances by University employees and students in the workplace, on University premises, at official University functions, or on University business is prohibited. In addition, employees and students shall not use illegal substances or abuse legal substances in a manner that impairs work performance, scholarly activities, or student life.

Employees found to be in violation of this Policy, including student employees if the circumstances warrant, may be subject to corrective action, up to and including dismissal, under applicable University policies and labor contracts, or may be required, at the discretion of the University, to participate satisfactorily in an Employee Support Program.

Students found to be in violation of this Policy may be subject to corrective action, up to and including dismissal, as set forth in the University of California Policies Applying to Campus Activities, Organizations, and Students (Part A) and in campus regulations, or may be required, at the discretion of the University, to participate satisfactorily in a treatment program.

Special requirements for employees engaged on Federal or State contracts and grants

The Federal Drug-Free Workplace Act of 1988 (Public Law 100-690, Title V, Subtitle D) and the State Drug-Free Workplace Act of 1990 require that University employees directly engaged in the performance of work on a Federal or State contract or grant shall abide by this Policy as a condition of employment. Employees working on Federal contracts and grants shall notify the University within five calendar days if they are convicted of any criminal drug statute violation occurring in the workplace or while on University business. This requirement also applies to all indirect charge employees who perform support or overhead functions related to the Federal contract or grant and for which the Federal government pays its share of expenses, unless the employee's impact or involvement is insignificant to the performance of the contract or grant. The University is required to notify the Federal contracting or granting agency within ten calendar days of receiving notice of such conviction and to take appropriate corrective action or to require the employee to participate satisfactorily in available counseling, treatment, and

approved substance-abuse assistance or rehabilitation programs within thirty calendar days of having received notice of such conviction.

Notification Procedure

When disseminated Notices of Award include the statement “All University employees directly engaged in the performance of work on a Federal Contract or grant are subject to the Drug-Free Workplace Act of 1988 and must notify their supervisor within five days if they are convicted of any criminal drug statute violation occurring in the workplace or while on University business.”

If an employee, working on a Federal contract or grant, is convicted of any criminal drug statute violation in the workplace or while on University business, the employee shall notify his/her supervisor within five (5) calendar days of conviction. The supervisor shall immediately notify the Division’s business officer who will contact the Scripps Office of Contract and Grant Administration. SIO OCGA in coordination with SIO central Human Resources Office shall notify the Federal contracting and granting agency(ies) from which the employee is paid within 10 days after receiving notice that a covered employee has been convicted of a criminal drug violation in the workplace. The notice to the Federal agency(ies) will include the convicted employee’s position title and grant or contract identification number.

SIO’s central Human Resources Office also shall provide to SIO’s OCGA, on a quarterly basis, a report confirming there have been no drug convictions or a report summarizing any convictions that have been reported during that quarter. This report is due to SIO OCGA on the tenth (10th) business day after the start of the quarter (quarters are based on the University’s fiscal year, i.e., July through June).