



FORT BERTHOLD COMMUNITY COLLEGE ALCOHOL AND DRUG USE/ABUSE WORKPLACE POLICY

Drug use and abuse in the workplace is the cause of concern in our society. These problems are extremely complex and there are no easy solutions. From a safety perspective, the users of drugs may impair the well being of all employees, the public at large, and may result in damage to college property. The federal government in 1988 enacted Public Law 100-690, the Anti-Drug Act. Title V, Subtitle B, the Drug-free Workplace Act of 1988, is part of the overall act, which requires institutions that received federal grants to certify that they will maintain a drug-free workplace and publish and administer specific drug-free workplace policies; and drug awareness programs. Therefore, it is the policy of Fort Berthold Community College that the unlawful manufacture, distribution; dispensation, possession or use of a controlled substance in the workplace is prohibited. Any employee violating this policy will be subject to discipline up to including termination.

Fort Berthold Community College does not differentiate between drug users and drug pushers or sellers. Any employee who unlawfully gives or in any way transfers a controlled substance to another person or sells or manufactures or unlawfully uses controlled substance while on the job, in the workplace, or at a site at which the college's work is performed, will be subject to discipline, up to and including termination.

The term controlled substance means any drug listed in 21 U.S.C. 812 and other federal regulation. Generally, these are drugs which have a high potential for abuse. Such drugs include, but are not limited to, heroin, marijuana, cocaine, PCP, and "crack." They also include "legal drugs" which are not prescribed by a licensed physician.

Each employee is required to inform their College supervisor within five (5) days after he or she is convicted for violation of any federal or state criminal drug statute where such violation occurred in the workplace. A conviction means a finding of guilt, including a plea of guilty or of nolo contendere, or the imposition of a sentence by a judge or jury in any federal or state court.

The President of the Fort Berthold Community College must notify the U.S Governmental agency with which the grant was made within ten (10) days after receiving notice from the employee or otherwise receives actual notice of such a conviction.

If any employee is convicted of violating any criminal drug statute while in the workplace, he or she will be subject to discipline up to and including termination. Alternatively, the employee may be required to successfully complete a drug abuse program sponsored by an approved private or governmental institution at his/her own expense.

As a condition of further employment on any federally funded program or government grant, all employees are required to abide by this policy.



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BEFORE SIGNING THE ACKNOWLEDGEMENT BELOW. PLEASE BE SURE YOU HAVE READ THE ABOVE POLICY.

ACKNOWLEDGEMENT

I, _____, an employee of Fort Berthold Community College in the state of North Dakota, certify that I have received a copy of the Fort Berthold Community College policy regarding the maintenance of a drug-free workplace. I realize that the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited at my workplace and violation of this policy can subject me to discipline up to and including termination. I realize that as a condition of employment, I must abide by the terms of this policy and will notify my supervisor of any criminal drug conviction or violation occurring in the workplace no later than five (5) days after such conviction. I further realize that federal law mandates that the College President communicate this conviction to an appropriate federal agency, and I hereby waive any and all claims that may arise for conveying this information to the federal agency.

Employee Signature

Date