



## Drug-Free Workplace Criminal Drug Conviction Notification Policy

Effective Date: November 7, 2017

Office: *If detailed questions, which office is best contact?*

Human Resources; Office of Grants & Sponsored Programs; General Counsel

**PURPOSE:** *This section should include reason or rationale for the policy.*

In accordance with the Drug-Free Workplace Act of 1988, a University employee engaged in the performance of work under a contract or grant from a Federal agency or a state contract or grant where Federal funds are involved must notify the University of his/her conviction for violation of a criminal drug statute occurring in the workplace no later than five (5) calendar days after such conviction. In addition, the University must notify the appropriate Federal agency of such conviction within ten (10) calendar days after receiving notification from the employee or after receiving notification of the conviction by other means.

**REFERENCE DOCUMENTS/  
RELATED INFORMATION:** *List any other policies or information that should be cross referenced.*

[Drug-Free Workplace Policy](#)

**SCOPE:** *Who is affected by this policy or needs to read it?*

This policy applies to all University employees who perform work under a contract or grant from a Federal agency, including state contracts where Federal funds are involved. Employees include full-time and part-time employees, including students employed by the university and faculty teaching on contract.

**POLICY HISTORY:** *Include any information about previous versions or whether this replaces an existing policy.*

This is a new policy.

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**POLICY & PROCEDURE STATEMENT:** *State the policy here. The policy statement should include the principles of the policy: what is permitted or prohibited, what is required, or how issues will be handled. If viewers read only this section, they will know what the policy is and how it extends to the university. How-to procedures can be elaborated on in the Procedures section.*

## **Reporting Convictions For Violations of Criminal Drug Statutes Occurring in the Workplace**

Within five (5) calendar days following the date of conviction for a violation of a criminal drug statute occurring in the workplace, the employee shall report such conviction in writing to his/her immediate supervisor or department head. The written notification shall include the date of conviction as well as a description of the conviction and the sanctions imposed by the court.

The immediate supervisor/department head shall immediately submit copies of the employee's written notification to the Director of Human Resources, the General Counsel, the Executive Vice President & Provost, and the Director of Grants & Sponsored Programs. The copies provided by the immediate supervisor/department head must include the identification number(s) of the affected contract(s) or grant(s).

Upon receipt of this documentation, the Director of Grants and Sponsored Programs shall immediately notify the principal investigator for a grant-based research project or the key University contact listed in the contract or related project documents.

## **Notifying Federal Agencies**

The General Counsel is the administrative official responsible for notification of Federal contracting or granting agencies, or state contracting or granting agencies where Federal funds are involved and notification is required by the terms of the contract and/or grant agreement, of applicable workplace drug convictions. The General Counsel shall notify, in writing, the appropriate Federal agency or state agency (i) within ten (10) calendar days after receiving notification from the employee that he/she engaged in the performance of work under a contract or grant has a criminal drug statute conviction for a violation occurring in the workplace; or (ii) within ten (10) calendar days after receiving notification of the conviction by other means. The written notification shall include the employee's name, job title, and the identification number(s) of the affected contract or grant.

## **Considering Sanctions for Employees**

Upon receipt of a copy of the notification from the employee's department, Human Resources (for non-faculty) or the Executive Vice President & Provost (for faculty) shall contact the department to discuss and advise of action to be taken, including possible discipline, up to and including termination, and/or the requirement that the employee participate in a drug abuse assistance or rehabilitation program as a continued condition of employment. Appropriate action must be taken within thirty (30) calendar days.