



**Policy Number:** 400.4

**Policy Title:** Alcohol and Drug Free Workplace DRAFT REVISION

**Subject:** Section 400 – Personnel

**Date Adopted:** August 24, 2009

**Date(s) Revised:** September 13, 2012

**Approved by:** \_\_\_\_\_  
Daniel J. Bingham  
Dean/CEO  
Helena College University of Montana

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**POLICY STATEMENT:**

Helena College University of Montana is committed to providing an alcohol and drug-free workplace in compliance with the Drug-Free Workplace Act of 1988. The unlawful manufacture, distribution, sale, possession, or use of a controlled substance in the workplace or while conducting college business is prohibited and must be in accordance with Helena College Policy 600.6 Alcohol Sale, Possession, and/or Consumption on College Property and this policy.

All Helena College policies shall adhere to and be consistent with relevant federal and state laws, rules, and regulations; with Board of Regents' policies and procedures; and with The University of Montana's policies and procedures.

## **PROCEDURES:**

### **ALL EMPLOYEES WILL BE NOTIFIED DRUG-FREE SCHOOLS AND COMMUNITY ACT**

As part of our commitment to an alcohol and drug-free campus, this policy provides information pursuant to the Drug-Free Schools and Communities Act Amendments of 1989 (P.L. 101-226). The act requires that as a condition of receiving funds or any other form of financial assistance under any federal program, an institute of higher education must certify that it has adopted and implemented a program to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees.

This program must include the following:

- Standard of conduct prohibiting unlawful possession, use, or distribution of illicit drugs and alcohol
- Legal sanctions pertaining to the unlawful possession, use, or distribution of illicit drugs and alcohol
- Health risks associated with the use of illicit drugs and abuse of alcohol
- Drug and alcohol treatment and rehabilitation programs
- University sanctions

### **STANDARD OF CONDUCT**

Use, possession, manufacture, sale, or distribution by a Helena College employee or student of any illegal drugs or alcohol on Helena College property or at College-sponsored activities is prohibited and may be grounds for suspension or dismissal of college employees and students. The primary purpose of Helena College is to create an environment that enables and enhances the pursuit and dissemination of knowledge. This environment is fundamentally harmed by the abuse of alcohol and illegal drugs. This policy includes the misuse of prescription drugs. All members of the Helena College community have a shared responsibility to protect this environment by displaying the highest standards of professional and personal conduct.

### **LEGAL SANCTIONS**

All applicable legal sanctions under local, state, or federal law for the unlawful possession or distribution of illicit drugs or alcohol may be applied.

#### [Montana and Federal Drug and Alcohol Penalties](#)

### **HEALTH RISKS**

#### [Alcohol Abuse](#)

#### [Drug Abuse](#)

### **PREVENTION AND INTERVENTION RESOURCES**

The College recognizes behavioral and substance abuse health problems which affect work performance may be correctable through treatment and/or counseling. The College strongly supports such counseling measures, and employees and students are encouraged to seek such services. These services are available through employee medical plans and the State Health Clinic. Limited free counseling is available for students, and the College works with community agencies for support and treatment. Students must participate in mandatory alcohol and drug awareness training.

### **COLLEGE SANCTIONS**

Employees must comply with this policy and notify their immediate supervisor ~~or the Human Resources Officer~~ of any use or substance abuse in the workplace or while conducting college business, ~~or criminal drug statute conviction for a violation occurring in the workplace within five (5) days after such conviction.~~ The supervisor is responsible for notifying the Human Resource Services office immediately upon notice from the employee.

Employees who violate this policy will be subject to counseling and/or disciplinary action in accordance with personnel policy or collective bargaining agreements; up to and including expulsion or dismissal from the College.

The College recognizes that behavioral health problems, which affect work performance, may be correctable through treatment or counseling. The College strongly supports such counseling measures and employees are encouraged to seek such services.

Individuals violating any local, state, or Federal laws and ordinances relating to alcohol or drug use also risk college disciplinary action.

#### **STUDENT EMPLOYEES**

It is unlawful for student employees to manufacture, distribute, sell or possess a controlled substance in the workplace. Awareness training about the effects of drug use and abuse is available to students through the Students Services office.

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**POLICY DISTRIBUTION**

The Human Resources office will publish and distribute this policy annually to all employees and students. The policy will also be available on the Helena College website.

**BIENNIAL PROGRAM REVIEW**

The alcohol and drug program shall be reviewed as dictated by policy by the Associate Dean of Student Affairs and Human Resources Officer who shall file required reports with the U.S. Department of Education.

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